

# HOUSE BILL No. 6562

December 4, 2018, Introduced by Reps. Whiteford, Rendon and Crawford and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 3, 52, 53, 92, 93, 132, 133, 162, 163, 192, 193, 253, 254, 322, 345, 349, 370, 409a, 412, 432, 433, 467a, 534, 535, 551, 559, 591, 592, 598, 611, 623a, 641, 642, 642a, 644f, 686a, 737a, 821, 963, and 970e (MCL 168.3, 168.52, 168.53, 168.92, 168.93, 168.132, 168.133, 168.162, 168.163, 168.192, 168.193, 168.253, 168.254, 168.322, 168.345, 168.349, 168.370, 168.409a, 168.412, 168.432, 168.433, 168.467a, 168.534, 168.535, 168.551, 168.559, 168.591, 168.592, 168.598, 168.611, 168.623a, 168.641, 168.642, 168.642a, 168.644f, 168.686a, 168.737a, 168.821, 168.963, and 168.970e), sections 3 and 821 as amended by 2003 PA 302, sections 53, 93, 133, 163, 193, 349, 551, and 737a as amended by 2012 PA 276, sections 254, 433, and 467a as amended by 2018 PA 120,

section 322 as amended by 2015 PA 103, section 370 as amended by 2014 PA 94, section 534 as amended by 2018 PA 224, section 591 as amended by 2012 PA 128, sections 592, 598, and 623a as amended by 1988 PA 116, section 611 as amended by 1996 PA 583, section 641 as amended by 2015 PA 197, section 642 as amended by 2015 PA 100, section 642a as amended by 2012 PA 523, section 644f as amended by 2017 PA 118, section 686a as amended by 1999 PA 216, section 963 as amended by 2015 PA 99, and section 970e as amended by 2015 PA 102.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 3. As used in this act:

2           (a) "Locked and sealed" is defined in section 14.

3           (b) "Major political party" is defined in section 16.

4           (c) "Metal seal" or "seal" is defined in section 14a.

5           (d) "Name that was formally changed" means a name changed by a  
6 proceeding under chapter XI of the probate code of 1939, 1939 PA  
7 288, MCL 711.1 to 711.3, or former 1915 PA 314, or through a  
8 similar, statutorily sanctioned procedure under the law of another  
9 state or country.

10          (e) "Odd year general election" means the election held on the  
11 November regular election date in an odd numbered year.

12          (f) "Odd year primary election" means the election held on the  
13 ~~August~~ **JUNE** regular election date in an odd numbered year.

14          (g) "Primary" or "primary election" is defined in section 7.

15          (h) "Qualified elector" is defined in section 10.

16          (i) "Qualified voter file" is defined in section 509m.

17          (j) "Regular election" means an election held on a regular  
18 election date to elect an individual to, or nominate an individual

1 for, elective office in the regular course of the terms of that  
2 elective office.

3 (k) "Regular election date" means 1 of the dates established  
4 as a regular election date in section 641.

5 (l) "Residence" is defined in section 11.

6 Sec. 52. A general primary election of all political parties  
7 ~~shall~~**MUST** be held in every election precinct in this state on the  
8 Tuesday ~~succeeding~~**AFTER** the first Monday in ~~August~~**preceding**~~August~~**JUNE**  
9 **BEFORE** every general November election in which a governor is to be  
10 elected, at which time the qualified and registered electors of  
11 each political party shall vote for party candidates for the office  
12 of governor. This section ~~shall~~**DOES** not apply to parties required  
13 to nominate candidates at caucuses or conventions.

14 Sec. 53. To obtain the printing of the name of a person as a  
15 candidate for nomination by a political party for the office of  
16 governor under a particular party heading ~~upon~~**ON** the official  
17 primary ballots, there ~~shall~~**MUST** be filed with the secretary of  
18 state nominating petitions signed by a number of qualified and  
19 registered electors residing in this state as determined under  
20 section 544f. Nominating petitions ~~shall~~**MUST** be signed by at least  
21 100 registered resident electors in each of at least 1/2 of the  
22 congressional districts of the state. Nominating petitions ~~shall~~  
23 **MUST** be in the form as prescribed in section 544c. ~~Until December~~  
24 ~~31, 2013, nominating petitions shall be received by the secretary~~  
25 ~~of state for filing in accordance with this act up to 4 p.m. of the~~  
26 ~~twelfth Tuesday before the August primary. Beginning January 1,~~  
27 ~~2014, nominating~~**NOMINATING** petitions ~~shall~~**MUST** be received by the

1 secretary of state for filing in accordance with this act up to 4  
2 p.m. of the fifteenth Tuesday before the ~~August~~**JUNE** primary.

3 Sec. 92. A general primary election of all political parties  
4 ~~shall~~**MUST** be held in every election precinct in this state on the  
5 Tuesday ~~succeeding~~**AFTER** the first Monday in ~~August~~**preceding****JUNE**  
6 **BEFORE** every general November election, at which time the qualified  
7 and registered electors of each political party may vote for a  
8 party candidate for the office of United States ~~senator~~**SENATOR**,  
9 to be filled at ~~said~~**THE** election. ~~Provided, That this~~**THIS**  
10 section ~~shall~~**DOES** not apply to parties required to nominate  
11 candidates at caucuses or conventions. ~~Provided further, That no~~  
12 **A** nomination for the office of United States ~~senator~~**shall****SENATOR**  
13 **MUST NOT** be made unless ~~such~~**THE** official is to be elected at the  
14 next succeeding general November election.

15 Sec. 93. In order for the name of a person as a candidate for  
16 nomination by a political party for the office of United States  
17 ~~senator~~**SENATOR** to appear under a particular party heading on the  
18 official primary ballot, a nominating petition ~~shall~~**MUST** be filed  
19 with the secretary of state. The nominating petition ~~shall~~**MUST**  
20 have been signed by a number of qualified and registered electors  
21 residing within this state as determined under section 544f. The  
22 nominating petition ~~shall~~**MUST** be signed by at least 100 qualified  
23 and registered electors in each of at least 1/2 of the  
24 congressional districts of this state. Nominating petitions ~~shall~~  
25 **MUST** be in the form as prescribed in section 544c. ~~Until December~~  
26 ~~31, 2013, the nominating petition shall be filed with the secretary~~  
27 ~~of state no later than 4 p.m. of the twelfth Tuesday before the~~

1 ~~August primary. Beginning January 1, 2014, the~~ **THE** nominating  
2 petition ~~shall~~ **MUST** be filed with the secretary of state no later  
3 than 4 p.m. of the fifteenth Tuesday before the ~~August~~ **JUNE**  
4 primary.

5       Sec. 132. A general primary election of all political parties  
6 ~~shall~~ **MUST** be held in every election precinct in this state on the  
7 Tuesday ~~succeeding~~ **AFTER** the first Monday in ~~August~~ **preceding** **JUNE**  
8 **BEFORE** every general November election, at which time the qualified  
9 and registered electors of each political party within every  
10 congressional district shall vote for party candidates for the  
11 office of ~~representative~~ **REPRESENTATIVE** in ~~congress~~ **CONGRESS** to be  
12 filled at ~~said~~ **THE** election. ~~÷ Provided, That this~~ **THIS** section  
13 ~~shall~~ **DOES** not apply to parties required to nominate candidates at  
14 caucuses or conventions.

15       Sec. 133. In order for the name of a person as a candidate for  
16 nomination by a political party for the office of ~~representative~~  
17 **REPRESENTATIVE** in ~~congress~~ **CONGRESS** to appear under a particular  
18 party heading on the official primary ballot in the election  
19 precincts of a congressional district, a nominating petition ~~shall~~  
20 **MUST** have been signed by a number of qualified and registered  
21 electors residing in the district as determined under section 544f.  
22 ~~Until December 31, 2013, if the congressional district comprises~~  
23 ~~more than 1 county, the nominating petition shall be filed with the~~  
24 ~~secretary of state no later than 4 p.m. of the twelfth Tuesday~~  
25 ~~before the August primary. Beginning January 1, 2014, if~~ **IF** the  
26 congressional district comprises more than 1 county, the nominating  
27 petition ~~shall~~ **MUST** be filed with the secretary of state no later

1 than 4 p.m. of the fifteenth Tuesday before the ~~August~~ **JUNE**  
 2 primary. ~~Until December 31, 2013, if the congressional district is~~  
 3 ~~within 1 county, the nominating petition shall be filed with the~~  
 4 ~~county clerk of that county no later than 4 p.m. of the twelfth~~  
 5 ~~Tuesday before the August primary. Beginning January 1, 2014, if **IF**~~  
 6 the congressional district is within 1 county, the nominating  
 7 petition shall **MUST** be filed with the county clerk of that county  
 8 no later than 4 p.m. of the fifteenth Tuesday before the ~~August~~  
 9 **JUNE** primary. Nominating petitions shall **MUST** be in the form as  
 10 prescribed in section 544c.

11       Sec. 162. A general primary election of all political parties  
 12 shall **MUST** be held in every election precinct in this state on the  
 13 Tuesday ~~succeeding~~ **AFTER** the first Monday in ~~August~~ ~~preceding~~ **JUNE**  
 14 **BEFORE** every general November election, at which time the qualified  
 15 and registered electors of each political party within every  
 16 senatorial district and every representative district shall vote  
 17 for party candidates for the offices of state senator and  
 18 representative, to be filled at the November election. ~~÷ Provided,~~  
 19 ~~That this~~ **THIS** section shall **DOES** not apply to parties required to  
 20 nominate candidates at caucuses or conventions.

21       Sec. 163. (1) To obtain the printing of the name of a person  
 22 as a candidate for nomination by a political party for the office  
 23 of state senator or representative under a particular party heading  
 24 upon the official primary ballots in the various election precincts  
 25 of a district, there shall **MUST** be filed nominating petitions  
 26 signed by a number of qualified and registered electors residing in  
 27 the district as determined under section 544f. If the district

1 comprises more than 1 county, the nominating petitions ~~shall~~**MUST**  
2 be filed with the secretary of state. If the district comprises 1  
3 county or less, the nominating petitions ~~shall~~**MUST** be filed with  
4 the county clerk of that county. Nominating petitions ~~shall~~**MUST** be  
5 in the form prescribed in section 544c. ~~Until December 31, 2013,~~  
6 ~~the secretary of state and the various county clerks shall receive~~  
7 ~~nominating petitions for filing in accordance with this act up to 4~~  
8 ~~p.m. of the twelfth Tuesday before the August primary. Beginning~~  
9 ~~January 1, 2014, the~~**THE** secretary of state and the various county  
10 clerks shall receive nominating petitions for filing in accordance  
11 with this act up to 4 p.m. of the fifteenth Tuesday before the  
12 August ~~JUNE~~ primary.

13 (2) In lieu of filing a nominating petition, a filing fee of  
14 \$100.00 may be paid to the county clerk or, for a candidate in a  
15 district comprising more than 1 county, to the secretary of state.  
16 Payment of the fee and certification of the name of the candidate  
17 paying the fee ~~shall be~~**ARE** governed by the same provisions as in  
18 the case of nominating petitions. The fee ~~shall~~**MUST** be deposited  
19 in the general fund of the county and ~~shall~~**MUST** be refunded to  
20 candidates who are nominated and to an equal number of candidates  
21 who receive the next highest number of votes in the primary  
22 election. If 2 or more candidates tie in having the lowest number  
23 of votes allowing a refund, the sum of \$100.00 ~~shall~~**MUST** be  
24 divided among them. A refund of a deposit ~~shall~~**MUST** not be made to  
25 a candidate who withdraws as a candidate.

26 Sec. 192. A general primary election of all political parties  
27 ~~shall~~**MUST** be held in every county of this state on the Tuesday

1 ~~succeeding~~ **AFTER** the first Monday in ~~August preceding~~ **JUNE BEFORE**  
2 the general November election at which the officers named in  
3 section 191 ~~of this act~~ are to be elected, at which time the  
4 qualified and registered electors of each political party may vote  
5 for party candidates for the offices. This section ~~shall~~ **DOES** not  
6 apply to parties required to nominate candidates at caucuses or  
7 conventions.

8       Sec. 193. (1) To obtain the printing of the name of a person  
9 as a candidate for nomination by a political party for an office  
10 named in section 191 under a particular party heading ~~upon~~ **ON** the  
11 official primary ballots, there ~~shall~~ **MUST** be filed with the county  
12 clerk nominating petitions signed by a number of qualified and  
13 registered electors residing within the county as determined under  
14 section 544f. Nominating petitions ~~shall~~ **MUST** be in the form  
15 prescribed in section 544c. ~~Until December 31, 2013, the county~~  
16 ~~clerk shall receive nominating petitions up to 4 p.m. of the~~  
17 ~~twelfth Tuesday before the August primary. Beginning January 1,~~  
18 ~~2014, the~~ **THE** county clerk shall receive nominating petitions up to  
19 4 p.m. of the fifteenth Tuesday before the ~~August~~ **JUNE** primary.

20       (2) To obtain the printing of the name of a candidate of a  
21 political party under the particular party's heading ~~upon~~ **ON** the  
22 primary election ballots in the various voting precincts of the  
23 county, there may be filed by the candidate, in lieu of filing  
24 nomination petitions, a filing fee of \$100.00 to be paid to the  
25 county clerk. Payment of the fee and certification of the  
26 candidate's name paying the fee ~~shall be~~ **ARE** governed by the same  
27 provisions as in the case of nominating petitions. The fee ~~shall~~



1 **MUST** be deposited in the general fund of the county and ~~shall~~**MUST**  
2 be refunded to candidates who are nominated and to an equal number  
3 of candidates who receive the next highest number of votes in the  
4 primary election. If 2 or more candidates tie in having the lowest  
5 number of votes allowing a refund, the sum of \$100.00 ~~shall~~**MUST** be  
6 divided among them. The deposits of all other defeated candidates,  
7 as well as the deposits of candidates who withdraw or are  
8 disqualified, ~~shall be~~**ARE** forfeited and the candidates ~~shall~~**MUST**  
9 be notified of the forfeiture. Deposits forfeited under this  
10 section ~~shall~~**MUST** be paid into and credited to the general fund of  
11 the county.

12       Sec. 253. A general primary election of all political parties  
13 ~~shall~~**MUST** be held on the Tuesday ~~succeeding~~**AFTER** the first Monday  
14 in ~~August preceding~~**JUNE BEFORE** every general November election in  
15 which county road commissioners are elected, at which time the  
16 qualified and registered electors of each political party may vote  
17 for party candidates for the office of county road commissioner.

18       Sec. 254. (1) To obtain the printing of the name of a person  
19 as a candidate for nomination by a political party for the office  
20 of county road commissioner under a particular party heading upon  
21 the official primary ballots, there must be filed with the county  
22 clerk of the county nominating petitions signed by a number of  
23 qualified and registered electors residing within the county as  
24 determined under section 544f. Nominating petitions must be in the  
25 form prescribed in section 544c. The county clerk shall receive  
26 nominating petitions up to 4 p.m. of the fifteenth Tuesday before  
27 the ~~August~~**JUNE** primary in which county road commissioners are to

1 be elected.

2 (2) To obtain the printing of the name of a candidate of a  
3 political party ~~under~~**ON** the particular party's heading ~~upon~~**ON** the  
4 primary election ballots in the various voting precincts of the  
5 county, there may be filed by each candidate, in lieu of filing  
6 nominating petitions, a filing fee of \$100.00 to be paid to the  
7 county clerk. Payment of the fee and certification of the name of  
8 the candidate paying the fee are governed by the same provisions as  
9 in the case of nominating petitions. The fee must be deposited in  
10 the general fund of the county and must be returned to all  
11 candidates who are nominated and to an equal number of candidates  
12 who received the next highest number of votes in the primary  
13 election. If 2 or more candidates tie in having the lowest number  
14 of votes allowing a refund, the sum of \$100.00 must be divided  
15 among them. The deposits of all other defeated candidates, as well  
16 as the deposits of candidates who withdraw or are disqualified, are  
17 forfeited and the candidates must be notified of the forfeitures.  
18 Deposits forfeited under this section must be paid into and  
19 credited to the general fund of the county.

20 Sec. 322. If a ~~charter~~**CITY** provides for nomination by caucus  
21 or by filing a petition or affidavit directly for the ~~May~~**MARCH**  
22 election, the candidate filing deadline or certification deadline  
23 is 4 p.m. on the fifteenth Tuesday before the ~~May~~**MARCH** election.

24 Sec. 345. A primary of all political parties ~~shall~~**MUST** be  
25 held in every organized township of this state on the Tuesday  
26 ~~succeeding~~**AFTER** the first Monday in ~~August~~**preceding** ~~JUNE~~**BEFORE**  
27 every general November election, at which time the qualified and

1 registered electors of each political party may vote for party  
2 candidates for township offices.

3       Sec. 349. (1) To obtain the printing of the name of a person  
4 as a candidate for nomination by a political party for a township  
5 office under the particular party heading ~~upon~~**ON** the official  
6 primary ballots, there ~~shall~~**MUST** be filed with the township clerk  
7 nominating petitions signed by a number of qualified and registered  
8 electors residing within the township as determined under section  
9 544f. Nominating petitions ~~shall~~**MUST** be in the form prescribed in  
10 section 544c. ~~Until December 31, 2013, the township clerk shall~~  
11 ~~receive nominating petitions up to 4 p.m. of the twelfth Tuesday~~  
12 ~~before the August primary. Beginning January 1, 2014, the~~**THE**  
13 township clerk shall receive nominating petitions up to 4 p.m. of  
14 the fifteenth Tuesday before the ~~August~~**JUNE** primary.

15       (2) Within 4 days after the last day for filing nominating  
16 petitions, the township clerk shall deliver to the county clerk a  
17 list setting forth the name, address, and political affiliation and  
18 office sought of each candidate who has qualified for a position on  
19 the primary ballot.

20       Sec. 370. (1) Except as provided in section 370a or subsection  
21 (2), if a vacancy occurs in an elective or appointive township  
22 office, the vacancy ~~shall~~**MUST** be filled by appointment by the  
23 township board, and the person appointed shall hold the office for  
24 the remainder of the unexpired term.

25       (2) If 1 or more vacancies occur in an elective township  
26 office that cause the number of members serving on the township  
27 board to be less than the minimum number of board members that is

1 required to constitute a quorum for the transaction of business by  
2 the board, the board of county election commissioners shall make  
3 temporary appointment of the number of members required to  
4 constitute a quorum for the transaction of business by the township  
5 board. An official appointed under this subsection shall hold the  
6 office only until the official's successor is elected or appointed  
7 and qualified. An official who is temporarily appointed under this  
8 subsection shall not vote on the appointment of himself or herself  
9 to an elective or appointive township office.

10 (3) If a township official submits a written resignation from  
11 an elective township office, for circumstances other than a  
12 resignation related to a recall election, that specifies a date and  
13 time when the resignation is effective, the township board, within  
14 30 days before that effective date and time, may appoint a person  
15 to fill the vacancy at the effective date and time of the  
16 resignation. The resigning official shall not vote on the  
17 appointment.

18 (4) Except as provided in subsection (5), if the township  
19 board does not make an appointment under subsection (3), or if a  
20 vacancy occurs in an elective township office and the vacancy is  
21 not filled by the township board or the board of county election  
22 commissioners within 45 days after the beginning of the vacancy,  
23 the county clerk of the county in which the township is located  
24 shall call a special election within 5 calendar days to fill the  
25 vacancy. Not later than 4 p.m. on the fifteenth calendar day after  
26 the county clerk calls a special election under this section, the  
27 township party committee for each political party in the township

1 ~~shall~~**MUST** submit a nominee to fill the vacancy. The special  
2 election ~~shall~~**MUST** be held on the next regular election date that  
3 is not less than 60 days after the deadline for submitting nominees  
4 under this section or 70 days after the deadline for submitting  
5 nominees under this section if the next regular election date is  
6 the even year ~~August~~**JUNE** primary or the general November election.  
7 Notice of the special election ~~shall~~**MUST** be given in the same  
8 manner required by section 653a. A special election called under  
9 this section does not affect the rights of a qualified elector to  
10 register for any other election. A person elected to fill a vacancy  
11 shall serve for the remainder of the unexpired term.

12 (5) Subsection (4) does not apply to the office of township  
13 constable. If a vacancy occurs in the office of township constable,  
14 the township board shall determine if and when the vacancy shall be  
15 filled by appointment. If the township board does not fill the  
16 vacancy by appointment, the office of township constable ~~shall~~**MUST**  
17 remain vacant until the next general or special election in which  
18 township offices are filled.

19 Sec. 409a. A general nonpartisan primary election ~~shall~~**MUST**  
20 be held in every appellate court district of this state on the  
21 Tuesday ~~succeeding~~**AFTER** the first Monday in ~~August~~**JUNE**  
22 **BEFORE** every general November election in which judges of the court  
23 of appeals are to be elected, at which time the qualified and  
24 registered electors may vote for nonpartisan candidates for the  
25 office of judge of the court of appeals. ~~Provided, however, That~~  
26 ~~if,~~**IF**, upon expiration of the time for filing petitions for the  
27 primary election of ~~said~~**THE** judge of the court of appeals in any

1 appellate court district, it ~~shall appear~~ **APPEARS** that there are  
2 not to exceed twice the number of candidates as there are persons  
3 to be elected, then the secretary of state shall certify to the  
4 county board or boards of election commissioners the names of ~~such~~  
5 **THE** candidates for court of appeals judge whose nominating  
6 petitions, filing fee, or affidavit of candidacy have been properly  
7 filed, and ~~such~~ **THOSE** candidates ~~shall be~~ **ARE** the nominees for  
8 judge of the court of appeals and ~~shall~~ **MUST** be so certified. As to  
9 ~~such~~ **THAT** office, there ~~shall~~ **MUST NOT** be ~~no~~ **A** primary election and  
10 this office ~~shall~~ **MUST** be omitted from the judicial primary ballot.

11       Sec. 412. A general nonpartisan primary election ~~shall~~ **MUST** be  
12 held in every county of this state on the Tuesday ~~succeeding~~ **AFTER**  
13 the first Monday in ~~August prior to~~ **JUNE BEFORE** the general  
14 election at which judges of the circuit court are elected, at which  
15 time the qualified and registered electors may vote for nonpartisan  
16 candidates for the office of judge of the circuit court. If, upon  
17 the expiration of the time for filing petitions or incumbency  
18 affidavits of candidacy for the primary election of ~~said~~ **THE** judge  
19 of the circuit court in any judicial circuit, it ~~shall appear~~  
20 **APPEARS** that there are not to exceed twice the number of candidates  
21 as there are persons to be elected, then the secretary of state  
22 shall certify to the county board of election commissioners the  
23 name of ~~such~~ **THE** candidate for circuit court judge whose petitions  
24 or affidavits have been properly filed, and ~~such~~ **THE** candidate  
25 ~~shall be~~ **IS** the nominee for the judge of the circuit court and  
26 ~~shall~~ **MUST** be so certified. As to ~~such~~ **THAT** office, there ~~shall~~  
27 **MUST NOT** be ~~no~~ **A** primary election and this office ~~shall~~ **MUST** be

1 omitted from the judicial primary ballot.

2           Sec. 432. A general nonpartisan primary election ~~shall~~**MUST** be  
 3 held in every county of this state on the Tuesday ~~succeeding~~**AFTER**  
 4 the first Monday in ~~August~~ ~~preceding~~**JUNE BEFORE** every general  
 5 November election at which judges of probate are to be elected, at  
 6 which time the qualified and registered electors may vote for  
 7 nonpartisan candidates for the office of judge of probate. If, upon  
 8 the expiration of the time for filing petitions or incumbency  
 9 affidavits of candidacy for the primary election of ~~said~~**THE**  
 10 probate judges in any county, it ~~shall appear~~**APPEARS** that there  
 11 are not to exceed twice the number of candidates as there are  
 12 persons to be elected, then the county clerk shall certify to the  
 13 county board of election commissioners the name of ~~such~~**THE**  
 14 candidate for probate judge whose petitions have been properly  
 15 filed, and ~~such~~**THE** candidate ~~shall be~~**IS** the nominee for the judge  
 16 of probate and ~~shall~~**MUST** be so certified. As to ~~such~~**THAT** office,  
 17 there shall **NOT** be ~~no~~**A** primary election and this office ~~shall~~**MUST**  
 18 be omitted from the judicial primary ballot.

19           Sec. 433. (1) Except as otherwise provided in this subsection,  
 20 to obtain the printing of the name of a person as a candidate for  
 21 nomination for the office of judge of probate ~~upon~~**ON** the official  
 22 nonpartisan primary ballots, there must be filed with the county  
 23 clerk of each county nominating petitions containing the  
 24 signatures, addresses, and dates of signing of a number of  
 25 qualified and registered electors residing in the county as  
 26 determined under section 544f or by the filing of an affidavit  
 27 according to section 433a. In the case of a probate court district,

1 to obtain the printing of the name of a person as a candidate for  
2 nomination for the office of judge of probate ~~upon~~**ON** the official  
3 nonpartisan primary ballots, there must be filed with the secretary  
4 of state nominating petitions containing the signatures, addresses,  
5 and dates of signing of a number of qualified and registered  
6 electors residing in the probate court district as determined under  
7 section 544f or by the filing of an affidavit according to section  
8 433a. The county clerk or, in the case of a probate court district,  
9 the secretary of state shall receive nominating petitions up to 4  
10 p.m. on the fifteenth Tuesday before the ~~August~~**JUNE** primary. The  
11 provisions of sections 544a and 544b apply.

12 (2) Nominating petitions filed under this section are valid  
13 only if they clearly indicate for which of the following offices  
14 the candidate is filing, consistent with section 435a(2):

15 (a) An unspecified existing judgeship for which the incumbent  
16 judge is seeking election.

17 (b) An unspecified existing judgeship for which the incumbent  
18 judge is not seeking election.

19 (c) A new judgeship.

20 (3) A person who files nominating petitions for election to  
21 more than 1 probate judgeship has not more than 3 days following  
22 the close of filing to withdraw from all but 1 filing.

23 (4) In a primary and general election for 2 or more judgeships  
24 where more than 1 of the categories in subsection (2) could be  
25 selected, a candidate shall apply to the bureau of elections for a  
26 written statement of office designation to correspond to the  
27 judgeship sought by the candidate. The office designation provided



1 by the secretary of state must be included in the heading of all  
2 nominating petitions. Nominating petitions containing an improper  
3 office designation are invalid.

4 (5) The secretary of state shall issue an office designation  
5 of incumbent position for any judgeship for which the incumbent  
6 judge is eligible to seek reelection. If an incumbent judge does  
7 not file an affidavit of candidacy by the deadline, the secretary  
8 of state shall notify all candidates for that office that a  
9 nonincumbent position exists. All nominating petitions circulated  
10 for the nonincumbent position after the deadline must bear an  
11 office designation of nonincumbent position. All signatures  
12 collected before the affidavit of candidacy filing deadline may be  
13 filed with the nonincumbent nominating petitions.

14 (6) If a candidate for nomination for the office of judge of  
15 probate receives incorrect or inaccurate written information from  
16 the county clerk or, in the case of a probate court district, the  
17 secretary of state concerning the number of nominating petition  
18 signatures required under section 544f and that incorrect or  
19 inaccurate written information is published or distributed by the  
20 county clerk or, in the case of a probate court district, the  
21 secretary of state, the candidate may bring an action in a court of  
22 competent jurisdiction for equitable relief. A court may grant  
23 equitable relief to a candidate under this subsection if all of the  
24 following occur:

25 (a) The candidate brings the action for equitable relief  
26 within 6 days after the candidate is notified by the county clerk  
27 or, in the case of a probate court district, the secretary of state

1 that the candidate's nominating petition contains insufficient  
2 signatures.

3 (b) The candidate files an affidavit certifying that he or she  
4 contacted and received from the county clerk or, in the case of a  
5 probate court district, the secretary of state incorrect or  
6 inaccurate written information concerning the number of nominating  
7 petition signatures required under section 544f.

8 (c) The county clerk or, in the case of a probate court  
9 district, the secretary of state published or distributed the  
10 incorrect or inaccurate written information concerning the number  
11 of nominating petition signatures required under section 544f  
12 before the filing deadline under subsection (1).

13 (d) The county clerk or, in the case of a probate court  
14 district, the secretary of state did not inform the candidate at  
15 least 14 days before the filing deadline under subsection (1) that  
16 incorrect or inaccurate written information concerning the number  
17 of nominating petition signatures required under section 544f had  
18 been published or distributed.

19 (7) If a court grants equitable relief to a candidate under  
20 subsection (6), the candidate must be given the opportunity to  
21 obtain additional nominating petition signatures to meet the  
22 requirements under section 544f. The additional nominating petition  
23 signatures obtained by a candidate must be filed with the county  
24 clerk or, in the case of a probate court district, the secretary of  
25 state no later than 4 p.m. on the fifth business day after the date  
26 that the court order granting equitable relief is filed.

27 (8) The nominating petition signatures filed under this

1 section are subject to challenge as provided in section 552.

2       Sec. 467a. A general nonpartisan primary election must be held  
3 in every district and election division of this state on the  
4 Tuesday after the first Monday in ~~August~~**JUNE** before the general  
5 election at which judges of the district court are elected, at  
6 which time the qualified and registered electors may vote for  
7 nonpartisan candidates for judge of the district court. If upon the  
8 expiration of the time for filing petitions of candidacy for the  
9 primary election of the judge of the district court in any district  
10 or election division, it appears that there are not to exceed twice  
11 the number of candidates as there are persons to be elected, the  
12 secretary of state shall certify to the county board of election  
13 commissioners the name of those candidates for district court judge  
14 whose petitions or affidavits of candidacy have been properly filed  
15 and those candidates are the nominees for the judge of the district  
16 court and must be so certified. As to that office, there must not  
17 be a primary election and this office must be omitted from the  
18 judicial primary ballot.

19       Sec. 534. A general primary of all political parties except as  
20 provided in sections 532 and 685 must be held in every election  
21 precinct in this state on the Tuesday after the first Monday in  
22 ~~August~~**JUNE** before every general November election, at which time  
23 the qualified and registered voters of each political party may  
24 vote for party candidates for the office of governor, United States  
25 Senator, Representative in Congress, state senator, representative  
26 in the legislature, county executive, prosecuting attorney,  
27 sheriff, county clerk, county treasurer, register of deeds, drain

1 commissioner, public works commissioner, county road commissioner,  
2 county mine inspector, surveyor, and candidates for office in  
3 townships. A nomination for an office must be made only if the  
4 official is to be elected at the next succeeding general November  
5 election.

6 Sec. 535. A general primary ~~shall~~**MUST** be held in every  
7 election precinct in this state on the Tuesday ~~succeeding~~**AFTER** the  
8 first Monday in ~~August preceding~~**JUNE BEFORE** every general November  
9 election, at which time the qualified and registered voters may  
10 vote for nonpartisan candidates for the office of judge of the  
11 court of appeals, judge of the circuit court, judge of probate, and  
12 for circuit court commissioner in the years in which ~~such~~**THOSE**  
13 officers are to be elected.

14 Sec. 551. ~~Until December 31, 2013, the secretary of state and~~  
15 ~~the various county, township, and city clerks shall receive~~  
16 ~~nominating petitions or filing fees filed under this act up to 4~~  
17 ~~p.m., eastern standard time, of the twelfth Tuesday before the~~  
18 ~~August primary. Beginning January 1, 2014, the~~**THE** secretary of  
19 state and the various county, township, and city clerks shall  
20 receive nominating petitions or filing fees filed under this act up  
21 to 4 p.m. ~~, eastern standard time,~~ of the fifteenth Tuesday before  
22 the ~~August~~**JUNE** primary. The provisions of this section do not  
23 apply to a city that does not nominate its officers under the  
24 provisions of this act.

25 Sec. 559. It ~~shall be~~**IS** the duty of the board of election  
26 commissioners of each county in this state to prepare and furnish  
27 the necessary official primary election ballots, except for city

1 offices, ~~which~~ **THAT** may be required for use by the electors of any  
2 political party at the ~~August~~ **JUNE** primary.

3       Sec. 591. ~~(1)~~ Except as provided in ~~subsection (2)~~ and section  
4 532, the state convention of all political parties for the  
5 nomination of candidates for state offices in the ~~even-numbered~~  
6 **EVEN-NUMBERED** years shall ~~shall~~ **MUST** commence not less than 60 days  
7 before the general November election. The date, time, and location  
8 of the state convention shall ~~shall~~ **MUST** be designated by the state  
9 central committees of the various political parties in their call  
10 for a state convention. The calls shall ~~shall~~ **MUST** be issued at least 60  
11 days before the ~~August~~ **JUNE** primaries.

12 ~~—— (2) In 2012 only, the state convention of all political~~  
13 ~~parties for the nomination of candidates for state offices shall~~  
14 ~~commence not less than 58 days before the general November~~  
15 ~~election. The date, time, and location of the state convention~~  
16 ~~shall be designated by the state central committees of the various~~  
17 ~~political parties in their call for a state convention. The calls~~  
18 ~~shall be issued at least 60 days before the August primaries.~~

19       Sec. 592. (1) Except as provided in section 532, the county  
20 conventions of all political parties for the election of delegates  
21 to a state convention for the nomination of state officers in the  
22 ~~even-numbered~~ **EVEN-NUMBERED** years shall ~~shall~~ **MUST** be held not less than  
23 8 days nor more than 25 days after the ~~August~~ **JUNE** primaries.

24       (2) All county conventions of a political party shall ~~shall~~ **MUST** be  
25 held on the same day throughout the state. The date shall ~~shall~~ **MUST** be  
26 designated by the state central committee of a political party in  
27 its call for the state convention. The place and hour of meeting of

1 a county convention ~~shall~~**MUST** be designated in the call issued by  
2 the county committee of the political party in the county, which  
3 call ~~shall~~**MUST** be issued not less than 45 days before the ~~August~~  
4 **JUNE** primaries. The number of delegates to the state convention to  
5 which the political party in the county is entitled ~~shall~~**MUST** be  
6 chosen at the county convention.

7 (3) In all counties having or ~~which~~**THAT** may ~~hereafter~~ have 2  
8 or more congressional districts or parts of congressional districts  
9 within the boundaries of the county, the congressional districts or  
10 a part of a congressional district within the counties ~~shall~~**MUST**  
11 each be considered a county within the provisions of this section  
12 for the holding of the county conventions provided for in this  
13 section, and ~~shall~~**MUST** be in place of the county convention. The  
14 nominee for ~~congress~~**CONGRESS** of the congressional district in the  
15 preceding primary election, the county chairperson, and the county  
16 secretary of the several political parties ~~shall~~ constitute a  
17 committee in each congressional district to name the temporary  
18 chairperson of the first district convention held under this act.  
19 Thereafter, the district chairperson shall act as temporary  
20 chairperson. The convention shall organize the same as county  
21 conventions and shall elect delegates to the state convention. The  
22 chairperson and secretary of the convention shall certify to the  
23 state central committee the names and addresses of the delegates  
24 elected, and, when certified, those delegates shall become the  
25 delegates from the district to the state convention.

26 Sec. 598. (1) The state central committee of each political  
27 party shall, at least 60 days before the ~~August~~**JUNE** primary,

1 forward by mail to the chairperson of each county committee of the  
2 political party a copy of the call for the fall state convention of  
3 the political party, showing the number of delegates to which each  
4 county is entitled in the state convention of the political party.  
5 The state central committee shall apportion the delegates to the  
6 several counties in proportion to the number of votes cast for the  
7 candidate of the party for secretary of state in each county,  
8 respectively, at the last preceding November general election.

9 (2) In addition to the number of delegates allocated to each  
10 county under subsection (1), the state central committees shall  
11 allocate an additional number of delegates equal to the number of  
12 incumbent legislators nominated by their party and residing in the  
13 county.

14 Sec. 611. (1) In the year 1956, and each fourth year after  
15 1956, delegates of each political party who were elected to the  
16 last prior fall county convention shall reconvene in a county  
17 convention. The county conventions, when so convened, ~~shall~~**MUST**  
18 elect delegates to a state convention. The number of delegates  
19 elected ~~shall~~**MUST** be the same as the number elected to the last  
20 prior spring state convention. The county conventions ~~shall~~**MUST** be  
21 held at least 90 days ~~prior to~~**BEFORE** the time set for the holding  
22 of the national convention of its political party. All county  
23 conventions ~~shall~~**MUST** be held on the same day and time. The time  
24 and place ~~shall~~**MUST** be fixed by the state central committee. A  
25 state convention composed of delegates elected by the respective  
26 county conventions ~~shall~~**MUST** be held in the year 1956, and each  
27 fourth year after 1956, at least 60 days before the holding of the

1 national convention of its political party.

2 (2) As used in this section:

3 (a) "Delegates of each political party who were elected to the  
4 last prior fall county convention" means precinct delegates elected  
5 at the last prior ~~August~~ **JUNE** primary election, persons nominated  
6 as candidates for county offices and state legislative offices who  
7 are delegates at large to county conventions under section 599(5),  
8 and delegates elected under section 622 or 624d to fill a precinct  
9 delegate vacancy for the balance of an unexpired term.

10 (b) "Persons nominated as candidates for county offices and  
11 state legislative offices who are delegates at large to county  
12 conventions under section 599(5)" means incumbent county officials,  
13 incumbent state legislators, and unsuccessful candidates for county  
14 offices and state legislative offices who are candidates at the  
15 last prior regular or special election held for the respective  
16 office.

17 (3) Delegates to a state convention shall include only those  
18 delegates elected at a county convention.

19 Sec. 623a. (1) On or before April 1 in ~~even-numbered~~ **EVEN-**  
20 **NUMBERED** years, the chairperson of the county committee or district  
21 committee of a congressional district or a part of a congressional  
22 district considered a county under section 592 of each political  
23 party shall forward by mail or otherwise deliver to the board of  
24 election commissioners in that county a certificate showing the  
25 number of delegates to the county convention to which each precinct  
26 of the county is entitled. The chairperson of the state central  
27 committee of a political party shall notify the chairperson of the



1 county committee or district committee of a congressional district  
2 or a part of a congressional district considered a county under  
3 section 592 of that political party no later than March 1 in ~~even~~  
4 ~~numbered~~ **EVEN-NUMBERED** years that the certificate required by this  
5 subsection is to be delivered to the board of election  
6 commissioners on or before April 1 of that year.

7 (2) If the chairperson fails to forward the certificate  
8 required by subsection (1) by the day specified, the board of  
9 election commissioners shall immediately determine the number of  
10 delegates to the county convention that each precinct should elect  
11 for the implementation of this act.

12 (3) The allotment of delegates to all precincts in the state  
13 ~~shall~~ **MUST** be made to insure, as near as is practicable, equal  
14 apportionment based upon the total vote cast for the candidate of  
15 each political party for either ~~president~~ **PRESIDENT** of the United  
16 States or secretary of state at the last general November election  
17 when elections for those offices were held, whichever is later.  
18 However, each precinct ~~shall~~ **MUST** have at least 1 delegate.

19 (4) The apportionment ~~shall~~ **MUST** be based on the precincts as  
20 they exist 180 days before the ~~August~~ **JUNE** primary election in ~~even~~  
21 ~~numbered~~ **EVEN-NUMBERED** years.

22 (5) As many delegates in each precinct as a political party is  
23 entitled to according to the certificate authorized by the  
24 chairperson of the county committee or the board of election  
25 commissioners ~~shall~~ **MUST** be elected at the ~~August~~ **JUNE** primary in  
26 ~~even-numbered~~ **EVEN-NUMBERED** years by direct vote of the registered  
27 electors of each political party in the county.

1           Sec. 641. (1) Except as otherwise provided in this section, an  
2 election held under this act ~~shall~~**MUST** be held on 1 of the  
3 following regular election dates:

4           (a) The ~~May~~**MARCH** regular election date, which is the first  
5 Tuesday after the first Monday in ~~May~~**MARCH**. **HOWEVER, IN EACH**  
6 **PRESIDENTIAL ELECTION YEAR WHEN A STATEWIDE PRESIDENTIAL PRIMARY IS**  
7 **HELD UNDER SECTION 613A, THE MARCH REGULAR ELECTION DATE IS THE**  
8 **SECOND TUESDAY IN MARCH.**

9           (b) The ~~August~~**JUNE** regular election date, which is the first  
10 Tuesday after the first Monday in ~~August~~**JUNE**.

11           (c) The November regular election date, which is the first  
12 Tuesday after the first Monday in November.

13 ~~—— (d) In each presidential election year when a statewide~~  
14 ~~presidential primary election is held, the date of the statewide~~  
15 ~~presidential primary election as provided in section 613a.~~

16           (2) If an elective office is listed by name in section 643,  
17 requiring the election for that office to be held at the general  
18 election, and if candidates for the office are nominated at a  
19 primary election, the primary election ~~shall~~**MUST** be held on the  
20 ~~August~~**JUNE** regular election date.

21           (3) Except as otherwise provided in this subsection and  
22 subsection (4), a special election ~~shall~~**MUST** be held on a regular  
23 election date. A special election called by the governor under  
24 section 145, 178, 632, 633, or 634 to fill a vacancy or called by  
25 the legislature to submit a proposed constitutional amendment as  
26 authorized in section 1 of article XII of the state constitution of  
27 1963 may, but is not required to be, held on a regular election

1 date.

2 (4) A school district may call a special election to submit a  
3 ballot question to borrow money, increase a millage, or establish a  
4 bond if an initiative petition is filed with the county clerk. The  
5 petition ~~shall~~**MUST** be signed by a number of qualified and  
6 registered electors of the district equal to not less than 10% of  
7 the electors voting in the last gubernatorial election in that  
8 district or 3,000 signatures, whichever number is lesser. Section  
9 488 applies to a petition to call a special election for a school  
10 district under this section. In addition to the requirements set  
11 forth in section 488, the proposed date of the special election  
12 ~~shall~~**MUST** appear beneath the petition heading, and the petition  
13 ~~shall~~**MUST** clearly state the amount of the millage increase or the  
14 amount of the loan or bond sought and the purpose for the millage  
15 increase or the purpose for the loan or bond. The petition ~~shall~~  
16 **MUST** be filed with the county clerk by 4 p.m. of the twelfth  
17 Tuesday before the proposed date of the special election. The  
18 petition signatures ~~shall~~**MUST** be obtained within 60 days before  
19 the filing of the petition. Any signatures obtained more than 60  
20 days before the filing of the petition are not valid. If the  
21 special election called by the school district is not scheduled to  
22 be held on a regular election date as provided in subsection (1),  
23 the special election ~~shall~~**MUST** be held on a Tuesday. A special  
24 election called by a school district under this subsection ~~shall~~  
25 **MUST** not be held within 30 days before or 35 days after a regular  
26 election date as provided in subsection (1). A school district may  
27 only call 1 special election ~~pursuant to~~**UNDER** this subsection in

1 each calendar year.

2 (5) The secretary of state shall direct and supervise the  
3 consolidation of all elections held under this act.

4 (6) This section shall be known and may be cited as the  
5 "Hammerstrom election consolidation law".

6 Sec. 642. (1) Except as otherwise provided in this section and  
7 section 642a, beginning on September 1, 2004, a city shall hold its  
8 regular election or regular primary election as follows:

9 (a) A city shall hold its regular election for a city office  
10 at the odd year general election.

11 (b) A city shall hold its regular election primary at the odd  
12 year primary election.

13 (c) A city that holds its regular election for a city office  
14 annually or in the even year on the November regular election date  
15 shall continue holding elections on that schedule.

16 (d) A city that holds its regular election primary for a city  
17 office annually or in the even year on the August regular primary  
18 election date shall continue holding primary elections on that  
19 schedule.

20 (2) If, on September 1, 2004, a city holds its regular  
21 election at other than a regular November election date, the city  
22 council may choose to hold the regular election on the May regular  
23 election date by adopting a resolution in compliance with this  
24 section. Except as provided in section 642a, if a city council  
25 adopts the resolution in compliance with this section to hold its  
26 regular election on the May regular election date, after December  
27 31, 2004, the city's regular election is on the May regular

1 election date. If a city's regular election is held on the May  
2 regular election date, the city shall not hold a regular primary  
3 election.

4 (3) If, on September 1, 2004, a city holds its regular  
5 election annually or in the even year on the November regular  
6 election date, the city council may choose to hold the regular  
7 election at the odd year general election by adopting a resolution  
8 in compliance with this section. Except as provided in section  
9 642a, if a city council adopts the resolution in compliance with  
10 this section to hold its regular election at the odd year general  
11 election, after December 31, 2004, the city's regular election is  
12 at the odd year election. If a city's regular election is held at  
13 the odd year general election, the city's regular election primary  
14 shall be held at the odd year primary election.

15 (4) If, on September 1, 2004, a city holds its regular  
16 election annually on the November regular election date, the city  
17 council may choose to hold the regular election at the even year  
18 general election by adopting a resolution in compliance with this  
19 section. Except as provided in section 642a, if a city council  
20 adopts the resolution in compliance with this section to hold its  
21 regular election at the even year general election, after December  
22 31, 2004, the city's regular election is at the even year election.  
23 If a city's regular election is held at the even year general  
24 election, the city's regular election primary shall be held at the  
25 even year primary election.

26 (5) A village shall hold its regular election as follows:

27 (a) A village shall hold its regular election for a village

1 office at the general election and the appropriate township clerk  
2 shall conduct the election.

3 (b) A village shall not hold a regular primary election.

4 (6) If a village's special election is held in conjunction  
5 with another election conducted by a township, the village shall  
6 pay the township a proportionate share of the election expenses. If  
7 a village's special election is not held in conjunction with  
8 another election conducted by a township, the village shall pay the  
9 township 100% of the actual costs of conducting the village's  
10 special election.

11 (7) A resolution permitted under this section or section 642a  
12 is valid only if a city council adopts the resolution in compliance  
13 with all of the following:

14 (a) The resolution is adopted before 1 of the following:

15 (i) If the resolution is permitted under subsection (2), (3),  
16 or (4), January 1, 2005.

17 (ii) If the resolution is permitted under section ~~642a(1),~~  
18 ~~(2), or (4),~~ **642A(2) OR (4)**, January 1 of the year in which the  
19 change in the date of the election takes effect.

20 (b) Before adopting the resolution, the council holds at least  
21 1 public hearing on the resolution. The public hearing may be held  
22 on the same day and immediately before considering the adoption of  
23 the resolution.

24 (c) The council gives notice of each public hearing on the  
25 resolution in a manner designed to reach the largest number of the  
26 jurisdiction's qualified electors in a timely fashion.

27 (d) The council votes on the resolution and, on a record roll

1 call vote, a majority of the council's board members, elected or  
2 appointed, and serving, adopt the resolution.

3 (e) The council files the resolution with the secretary of  
4 state.

5 Sec. 642a. (1) After December 31, ~~2004, 2018~~, a city council  
6 that adopted a resolution so that its regular election is held on  
7 the May regular election date ~~may change its regular election to~~  
8 ~~the odd year general election by adopting a resolution in~~  
9 ~~compliance with section 642. If a city council adopts the~~  
10 ~~resolution in compliance with section 642 to hold its regular~~  
11 ~~election at the odd year general election, after December 31 of the~~  
12 ~~year in which the resolution is adopted, the city's regular~~  
13 ~~election is at the odd year general election.~~ **SHALL HOLD ITS REGULAR**  
14 **ELECTION ON THE MARCH REGULAR ELECTION DATE.**

15 (2) After December 31, 2004, a city council that holds its  
16 regular election for city offices annually or in the even year on  
17 the November regular election date may change its regular election  
18 schedule to the odd year general election and the odd year primary  
19 election by adopting a resolution in compliance with section 642.  
20 If a city council adopts the resolution in compliance with section  
21 642, the city's regular election is at the odd year general  
22 election and its primary is at the odd year primary election.

23 (3) After December 31, 2010, a city that adopted a resolution  
24 so that its regular election primary is held at the September  
25 election shall hold its regular election primary at the odd year  
26 primary election.

27 (4) After December 31, 2011, a city that holds its regular

1 election for city offices annually or in the odd year on the  
2 November regular election date may change its regular election  
3 schedule to the even year general election and the even year  
4 primary election by adopting a resolution in compliance with  
5 section 642. If a city council adopts the resolution in compliance  
6 with section 642, after December 31 of the year in which the  
7 resolution is adopted, the city's regular election is at the even  
8 year general election and its primary is at the even year primary  
9 election.

10 (5) After December 31, 2012, a village that adopted a  
11 resolution so that its regular election is held at the September  
12 election shall hold its regular election at the general November  
13 election.

14 **(6) AFTER DECEMBER 31, 2018, A CITY THAT HOLDS ITS REGULAR**  
15 **ELECTION PRIMARY FOR A CITY OFFICE ANNUALLY OR IN THE EVEN YEAR ON**  
16 **THE AUGUST REGULAR PRIMARY ELECTION DATE SHALL HOLD ITS REGULAR**  
17 **ELECTION PRIMARY ON THE JUNE REGULAR PRIMARY ELECTION DATE.**

18 Sec. 644f. (1) Except as provided in this section and section  
19 644e, nominating petitions for offices to be filled at the odd year  
20 general election must be filed by 4 p.m. on the fifteenth Tuesday  
21 before the odd year primary election. The place of filing and the  
22 number of signatures must be the same as is now required by law for  
23 those offices.

24 (2) If a nonpartisan petition requirement is not contained in  
25 law or charter, the minimum number of signatures is the amount as  
26 provided for in section 544f.

27 (3) If, upon the expiration of the time for filing nonpartisan



1 petitions, not more than twice the number of candidates as there  
2 are persons to be elected to that office have filed, the primary  
3 for that office must not be held and those persons filing valid  
4 petitions are declared the nominees for the offices, unless a city  
5 charter provides otherwise for city offices.

6 (4) Until December 31, 2017, the nominating petition filing  
7 deadline for candidates for city offices may be adjusted as  
8 provided in subsection (5) if all of the following occur:

9 (a) The city clerk publishes a nominating petition filing  
10 deadline that is different than the fifteenth Tuesday before the  
11 odd year primary election or the odd year general election and the  
12 nominating petition filing deadline published by the city clerk is  
13 after the fifteenth Tuesday but no later than the eleventh Tuesday  
14 before the applicable odd year primary election or the odd year  
15 general election.

16 (b) The city clerk did not publicly correct the filing  
17 deadline error at least 2 weeks before the fifteenth Tuesday before  
18 the odd year primary election or the odd year general election.

19 (c) One or more candidates for city offices in that city  
20 relied upon the incorrect nominating petition filing deadline,  
21 failed to file nominating petitions by the fifteenth Tuesday before  
22 the odd year primary election or the odd year general election, and  
23 filed nominating petitions by the filing deadline published by the  
24 city clerk that are determined by the city clerk to contain a  
25 sufficient number of valid signatures.

26 (5) If the bureau of elections confirms that all of the  
27 conditions set forth in subsection (4) are met, the bureau of

1 elections may authorize the city clerk to adjust the nominating  
2 petition filing deadline for that odd year primary election or that  
3 odd year general election from the fifteenth Tuesday before the odd  
4 year primary election or the odd year general election to the  
5 incorrectly published nominating petition filing deadline.

6 (6) A city that is subject to subsections (4) and (5) before  
7 December 31, 2015 is subject to all of the following:

8 (a) Until December 31, 2017, the city clerk of that city shall  
9 attend at least once annually an election training school conducted  
10 by the director of elections as provided in section 33.

11 (b) Until December 31, 2017, the city clerk shall submit  
12 nominating petitions to the secretary of state for final approval  
13 as to form before being circulated for signatures and shall submit  
14 any election filing deadline calendars and any correspondence  
15 relating to those calendars to the secretary of state before being  
16 provided to the public.

17 (c) The secretary of state shall conduct a postelection audit  
18 after each November election held in the city in 2015, 2016, and  
19 2017.

20 (d) Notwithstanding section 683, beginning January 1, 2016 and  
21 until December 31, 2017, those acting as precinct election  
22 inspectors at any August or November election held in the city  
23 shall attend a preelection training school for election inspectors  
24 conducted by the county clerk of the county in which the city is  
25 located.

26 (7) A city that first becomes subject to subsections (4) and  
27 (5) between January 1, 2017 and December 31, 2017 is subject to all

1 of the following:

2 (a) Until December 31, 2019, the city clerk of that city shall  
3 attend at least once annually an election training school conducted  
4 by the director of elections as provided in section 33.

5 (b) Until December 31, 2019, the city clerk shall submit  
6 nominating petitions to the secretary of state for final approval  
7 as to form before being circulated for signatures and shall submit  
8 any election filing deadline calendars and any correspondence  
9 relating to those calendars to the secretary of state before being  
10 provided to the public.

11 (c) The secretary of state shall conduct a postelection audit  
12 after each November election held in the city in 2017, 2018, and  
13 2019.

14 (d) The secretary of state shall conduct an administrative  
15 audit of the city clerk's elections operations and shall report the  
16 results of that administrative audit to the house and senate  
17 committees dealing with elections no later than February 28, 2018.

18 (e) Until August 31, 2018, the secretary of state shall  
19 conduct preelection precinct election inspector training for those  
20 acting as precinct election inspectors at any August or November  
21 election held in the city.

22 (f) Notwithstanding section 683, beginning September 1, 2018  
23 and until December 31, 2019, those acting as precinct election  
24 inspectors at any ~~August~~ **JUNE** or November election held in the city  
25 shall attend a preelection training school for election inspectors  
26 conducted by the county clerk of the county in which the city is  
27 located.

1           (8) For a city that first becomes subject to subsections (4)  
2 and (5) between January 1, 2017 and December 31, 2017, the  
3 secretary of state shall direct the city clerk to place all  
4 eligible candidates who properly filed sufficient nominating  
5 petitions by the eleventh Tuesday before the applicable odd year  
6 primary election or the odd year general election on the odd year  
7 general election ballot.

8           (9) A city that is subject to subsection (7) is subject to a  
9 civil fine of \$2,500.00.

10           (10) Beginning January 1, 2018, A city is subject to a civil  
11 fine of \$5,000.00 if all of the following occur:

12           (a) The city clerk publishes a nominating petition filing  
13 deadline that is different than the fifteenth Tuesday before the  
14 odd year primary election or the odd year general election and the  
15 nominating petition filing deadline published by the city clerk is  
16 after the fifteenth Tuesday but not later than the eleventh Tuesday  
17 before the odd year primary election or the odd year general  
18 election.

19           (b) The city clerk does not publicly correct the filing  
20 deadline error at least 2 weeks before the fifteenth Tuesday before  
21 the odd year primary election or the odd year general election.

22           (c) One or more candidates for city offices in that city rely  
23 upon the incorrect nominating petition filing deadline, fail to  
24 file nominating petitions by the fifteenth Tuesday before the odd  
25 year primary election or the odd year general election, and file  
26 nominating petitions by the filing deadline published by the city  
27 clerk that are determined by the city clerk to contain a sufficient

1 number of valid signatures.

2 (11) A civil fine collected under subsection (9) or (10) must  
3 be paid to the state treasury and credited to the department of  
4 state for enforcement of this section.

5 Sec. 686a. (1) If a political party entitled to a position on  
6 the ballot failed to have at least 1 candidate who polled at least  
7 5% of the total vote cast for all candidates for secretary of state  
8 at the last preceding election at which a secretary of state was  
9 elected, candidates for that political party ~~shall~~**MUST** be  
10 nominated as provided in section 532. County caucuses and state  
11 conventions for ~~such~~**THESE** political parties ~~shall~~**MUST** be held not  
12 later than the ~~August~~**JUNE** primary.

13 (2) County caucuses may nominate candidates for the office of  
14 ~~representative~~**REPRESENTATIVE** in ~~congress~~**CONGRESS**, state senator,  
15 and state representative if the offices represent districts  
16 contained wholly within the county, and for all county and township  
17 offices. Not more than 1 business day after the conclusion of the  
18 caucus, the names and mailing addresses of all candidates ~~se~~  
19 nominated and the offices for which they were nominated ~~shall~~**MUST**  
20 be certified by the chairperson and secretary of the caucus to the  
21 county clerk. The certification ~~shall~~**MUST** be accompanied by an  
22 affidavit of identity for each candidate named in the certificate  
23 as provided in section 558 and a separate written certificate of  
24 acceptance of nomination signed by each candidate named on the  
25 certificate. The form of the certificate of acceptance ~~shall~~**MUST**  
26 be prescribed by the secretary of state. If a candidate is ~~se~~  
27 certified with the accompanying affidavit of identity and

1 certificate of acceptance, the name of the candidate ~~shall~~**MUST** be  
2 printed on the ballot for that election. Candidates nominated and  
3 certified ~~shall~~**ARE** not ~~be~~ permitted to withdraw.

4 (3) The county caucus may also select the number of delegates  
5 to the state convention to which the county is entitled and shall  
6 select its own officers and name its own county committee.

7 (4) The state convention ~~shall~~**MUST** be held at the time and  
8 place indicated in the call. The convention ~~shall~~**MUST** consist of  
9 delegates selected by the county caucuses. The convention may fill  
10 vacancies in a delegation from qualified electors of that county  
11 present at the convention. The convention may nominate candidates  
12 for all state offices. District candidates may be nominated at  
13 district caucuses held in conjunction with the state convention  
14 attended by qualified delegates of the district. If delegates of a  
15 district are not present, a district caucus ~~shall~~**MUST** not be held  
16 for that district and candidates ~~shall~~**MUST** not be nominated for  
17 that district. Not more than 1 business day after the conclusion of  
18 the convention, the names and mailing addresses of the candidates  
19 nominated for state or district offices ~~shall~~**MUST** be certified by  
20 the chairperson and secretary of the state convention to the  
21 secretary of state. The certification ~~shall~~**MUST** be accompanied by  
22 an affidavit of identity for each candidate named in the  
23 certificate as provided in section 558 and a separate written  
24 certificate of acceptance of nomination signed by each candidate  
25 named on the certificate. The form of the certificate of acceptance  
26 ~~shall~~**MUST** be prescribed by the secretary of state. The names of  
27 candidates ~~so~~ certified with accompanying affidavit of identity and

1 certificate of acceptance ~~shall~~**MUST** be printed on the ballot for  
2 the forthcoming election. Candidates ~~so~~-nominated and certified  
3 ~~shall~~**ARE** not ~~be~~-permitted to withdraw.

4       Sec. 737a. (1) Except as otherwise provided in this section,  
5 the board of election inspectors shall not count a write-in vote  
6 for a person unless that person has filed a declaration of intent  
7 to be a write-in candidate as provided in this section. The write-  
8 in candidate shall file the declaration of intent to be a write-in  
9 candidate with the filing official for that elective office on or  
10 before 4 p.m. on the second Friday immediately before the election.  
11 The secretary of state, immediately after the 4 p.m. filing  
12 deadline under this subsection, shall prepare and have delivered a  
13 list of all persons who have filed a declaration of intent to be a  
14 write-in candidate under this subsection, if any, to the  
15 appropriate county clerks. A filing official other than the  
16 secretary of state who receives a declaration of intent to be a  
17 write-in candidate or list of persons who filed a declaration of  
18 intent from another filing official under this subsection shall  
19 prepare and have delivered a list of all persons who have filed a  
20 declaration of intent to be a write-in candidate to the board of  
21 election inspectors in the appropriate precincts before the close  
22 of the polls on election day.

23       (2) If a candidate whose name is printed on the official  
24 ballot for the election dies or is otherwise disqualified after 4  
25 p.m. on the second Friday immediately before the election, the  
26 requirement of filing a declaration of intent to be a write-in  
27 candidate under subsection (1) does not apply to a write-in

1 candidate. If a death or disqualification has occurred as described  
2 in this subsection, the board of election inspectors shall count  
3 all write-in votes for write-in candidates for the office sought by  
4 the deceased or disqualified candidate.

5 (3) Subsections (1) and (2) do not apply to a write-in  
6 candidate for precinct delegate. The board of election inspectors  
7 shall not count a write-in vote for a write-in candidate for  
8 precinct delegate unless that candidate has filed a declaration of  
9 intent to be a write-in candidate as provided in this subsection. A  
10 write-in candidate for precinct delegate shall file a declaration  
11 of intent to be a write-in candidate with the appropriate city or  
12 township clerk for that precinct on or before 4 p.m. on the Friday  
13 immediately before the election or with the board of election  
14 inspectors in the appropriate precinct before the close of the  
15 polls on election day. A city or township clerk who receives a  
16 declaration of intent to be a write-in candidate from a write-in  
17 candidate for precinct delegate under this subsection shall prepare  
18 and have delivered a list of all persons who have filed a  
19 declaration of intent to be a write-in candidate to the board of  
20 election inspectors in the appropriate precincts before the close  
21 of the polls on election day.

22 (4) The secretary of state shall prescribe forms for the  
23 declaration of intent to be a write-in candidate. Clerks shall  
24 maintain a supply of declaration of intent to be a write-in  
25 candidate forms in the clerk's office and make the forms available  
26 in the polling places during the ~~August~~ **JUNE** primary for this  
27 purpose. The declaration of intent to be a write-in candidate form



1 ~~shall~~ **MUST** include all of the following information:

2 (a) The name of the person intending to be a write-in  
3 candidate.

4 (b) The elective office that the person seeks as a write-in  
5 candidate.

6 (c) The residence address of the person seeking elective  
7 office as a write-in candidate.

8 (d) Other information the secretary of state considers  
9 appropriate.

10 Sec. 821. ~~(1)~~ The board of county canvassers shall meet at the  
11 office of the county clerk at 1 p.m. on the day after the day of a  
12 general election, ~~August~~ **JUNE** primary, or presidential primary  
13 election in the county. ~~Except as provided in subsection (2), for~~  
14 **FOR** other elections, the board **OF COUNTY CANVASSERS** shall meet  
15 within 5 days following the election.

16 ~~—— (2) If, at an election held on the May regular election date,~~  
17 ~~a ballot question appears on the ballot concerning authorized~~  
18 ~~millage that is subject to a millage reduction as provided in~~  
19 ~~section 34d of the general property tax act, 1893 PA 206, MCL~~  
20 ~~211.34d, the board of county canvassers shall meet to canvass and~~  
21 ~~certify the results of the vote on that proposition after May 31~~  
22 ~~and before June 15 following the election.~~

23 Sec. 963. (1) Within 35 days after the filing of the recall  
24 petition, the filing official with whom the recall petition is  
25 filed shall make an official declaration of the sufficiency or  
26 insufficiency of the recall petition. If the recall petition is  
27 determined to be insufficient, the filing official shall notify the

1 person or organization sponsoring the recall of the insufficiency  
2 of the recall petition. It is not necessary to give notification  
3 unless the person or organization sponsoring the recall files with  
4 the filing official a written notice of sponsorship and a mailing  
5 address.

6 (2) If a recall petition is filed under section 960,  
7 immediately upon determining that the recall petition is  
8 sufficient, but not later than 35 days after the date of filing of  
9 the recall petition, the county clerk with whom the recall petition  
10 is filed shall call the recall election and proceed under sections  
11 971c to 975. The recall election ~~shall~~**MUST** be held not less than  
12 95 days after the date the recall petition is filed and ~~shall~~**MUST**  
13 be held on the next ~~May~~**MARCH** regular election date or the next  
14 November regular election date, whichever occurs first.

15 (3) Except as otherwise provided in subsection (4), if a  
16 recall petition is filed under section 959, the filing official  
17 with whom the recall petition is filed shall call the recall  
18 primary election and proceed under sections 970b to 970g. The  
19 recall primary election ~~shall~~**MUST** be held on the next regular  
20 election date that is not less than 95 days after the date the  
21 recall petition is filed.

22 (4) If a recall petition is filed under section 959 demanding  
23 the recall of the governor, the filing official with whom the  
24 recall petition is filed shall call a special recall election and  
25 proceed under sections 975c to 975g. The special recall election  
26 ~~shall~~**MUST** be held not less than 95 days after the date the recall  
27 petition is filed and ~~shall~~**MUST** be held on the next ~~May~~**MARCH**

1 regular election date or the next ~~August~~ **NOVEMBER** regular election  
2 date, whichever occurs first.

3       Sec. 970e. Subject to section 970b, the candidate of each  
4 political party receiving the greatest number of votes cast for  
5 candidates at the recall primary election as set forth in the  
6 report of the board of state canvassers, based on the returns from  
7 the various election precincts, ~~shall~~ **MUST** be declared the nominee  
8 of that political party at the recall general election to be held  
9 on the next ~~May~~ **MARCH** regular election date or the next ~~August~~ **JUNE**  
10 regular election date, whichever occurs first. In addition, except  
11 as otherwise provided in this section, a candidate without a  
12 political party affiliation may qualify for the recall general  
13 election by filing a qualifying petition with the officer with whom  
14 the recall petitions were filed that contains 10% of the number of  
15 signatures required under section 544f within 10 days after the  
16 recall general election is scheduled. An individual who was an  
17 unsuccessful candidate in the recall primary election may not  
18 subsequently file a qualifying petition as a candidate without a  
19 political party affiliation for the recall general election.

20       Enacting section 1. This amendatory act takes effect 90 days  
21 after the date it is enacted into law.