

SENATE BILL NO. 1082

September 02, 2020, Introduced by Senators NESBITT and WOJNO and referred to the Committee on Elections.

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, 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, 168.686a, 168.737a, 168.821, 168.963, and 168.970e), section 3 as amended by 2018 PA 603, sections 53, 93, 133, 163, 193, and 551 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 349 as amended by 2018 PA 654, 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 686a as amended by 1999 PA 216, section 737a as amended by 2018 PA 611, section 821 as amended by 2018 PA 614, 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.

1 (h) "Regular ballot" means a ballot that is issued to a voter
2 on election day at a polling place location.

3 (i) "Qualified elector" is defined in section 10.

4 (j) "Qualified voter file" is defined in section 509m.

5 (k) "Regular election" means an election held on a regular
6 election date to elect an individual to, or nominate an individual
7 for, elective office in the regular course of the terms of that
8 elective office.

9 (l) "Regular election date" means 1 of the dates established as
10 a regular election date in section 641.

11 (m) "Residence" is defined in section 11.

12 Sec. 52. A general primary election of all political parties
13 ~~shall~~**must** be held in every election precinct in this state on the
14 Tuesday ~~succeeding~~**after** the first Monday in ~~August~~**preceding** ~~June~~
15 **before** every general November election in which a governor is to be
16 elected, at which time the qualified and registered electors of
17 each political party shall vote for party candidates for the office
18 of governor. This section ~~shall~~**does** not apply to parties required
19 to nominate candidates at caucuses or conventions.

20 Sec. 53. To obtain the printing of the name of a person as a
21 candidate for nomination by a political party for the office of
22 governor under a particular party heading ~~upon~~**on** the official
23 primary ballots, there ~~shall~~**must** be filed with the secretary of
24 state nominating petitions signed by a number of qualified and
25 registered electors residing in this state as determined under
26 section 544f. Nominating petitions ~~shall~~**must** be signed by at least
27 100 registered resident electors in each of at least 1/2 of the
28 congressional districts of ~~the~~**this** state. Nominating petitions
29 ~~shall~~**must** be in the form as prescribed in section 544c. ~~Until~~

1 ~~December 31, 2013, nominating petitions shall be received by the~~
 2 ~~secretary of state for filing in accordance with this act up to 4~~
 3 ~~p.m. of the twelfth Tuesday before the August primary. Beginning~~
 4 ~~January 1, 2014, nominating~~ **Nominating** ~~petitions shall~~ **must** be
 5 received by the secretary of state for filing in accordance with
 6 this act up to 4 p.m. of the fifteenth Tuesday before the ~~August~~
 7 **June** primary.

8 Sec. 92. A general primary election of all political parties
 9 ~~shall~~ **must** be held in every election precinct in this state on the
 10 Tuesday ~~succeeding~~ **after** the first Monday in ~~August preceding~~ **June**
 11 **before** every general November election, at which time the qualified
 12 and registered electors of each political party may vote for a
 13 party candidate for the office of United States ~~senator,~~ **Senator,**
 14 to be filled at ~~said the~~ election. ~~∴ Provided, That this~~ **This**
 15 section ~~shall~~ **does** not apply to parties required to nominate
 16 candidates at caucuses or conventions. ~~∴ Provided further, That no~~
 17 **A** nomination for the office of United States ~~senator shall~~ **Senator**
 18 **must not** be made unless ~~such the~~ official is to be elected at the
 19 next succeeding general November election.

20 Sec. 93. In order for the name of a person as a candidate for
 21 nomination by a political party for the office of United States
 22 ~~senator~~ **Senator** to appear under a particular party heading on the
 23 official primary ballot, a nominating petition ~~shall~~ **must** be filed
 24 with the secretary of state. The nominating petition ~~shall~~ **must**
 25 have been signed by a number of qualified and registered electors
 26 residing within this state as determined under section 544f. The
 27 nominating petition ~~shall~~ **must** be signed by at least 100 qualified
 28 and registered electors in each of at least 1/2 of the
 29 congressional districts of this state. Nominating petitions ~~shall~~

1 **must** be in the form as prescribed in section 544c. ~~Until December~~
 2 ~~31, 2013, the nominating petition shall be filed with the secretary~~
 3 ~~of state no later than 4 p.m. of the twelfth Tuesday before the~~
 4 ~~August primary. Beginning January 1, 2014, the **The** nominating~~
 5 ~~petition shall **must** be filed with the secretary of state no later~~
 6 ~~than 4 p.m. of the fifteenth Tuesday before the ~~August~~ **June**~~
 7 ~~primary.~~

8 Sec. 132. A general primary election of all political parties
 9 ~~shall **must** be held in every election precinct in this state on the~~
 10 ~~Tuesday ~~succeeding~~ **after** the first Monday in ~~August~~ ~~preceding~~ **June**~~
 11 ~~**before** every general November election, at which time the qualified~~
 12 ~~and registered electors of each political party within every~~
 13 ~~congressional district shall vote for party candidates for the~~
 14 ~~office of ~~representative~~ **Representative** in ~~congress~~ **Congress** to be~~
 15 ~~filled at ~~said~~ ~~the~~ election. ~~:-~~ ~~Provided, That this~~ **This** section~~
 16 ~~shall **does** not apply to parties required to nominate candidates at~~
 17 ~~caucuses or conventions.~~

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

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

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

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

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

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

25 Sec. 192. A general primary election of all political parties
 26 ~~shall~~**must** be held in every county of this state on the Tuesday
 27 ~~succeeding~~**after** the first Monday in ~~August~~**preceding** ~~June~~**before**
 28 the general November election at which the officers named in
 29 section 191 ~~of this act~~ are to be elected, at which time the

1 qualified and registered electors of each political party may vote
2 for party candidates for the offices. This section ~~shall~~**does** not
3 apply to parties required to nominate candidates at caucuses or
4 conventions.

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

17 (2) To obtain the printing of the name of a candidate of a
18 political party under the particular party's heading ~~upon~~**on** the
19 primary election ballots in the various voting precincts of the
20 county, ~~there may be filed by the candidate, in lieu~~**the candidate**
21 **may file, instead** of filing nomination petitions, a filing fee of
22 \$100.00 to be paid to the county clerk. Payment of the fee and
23 certification of the candidate's name paying the fee ~~shall be~~**are**
24 governed by the same provisions as in the case of nominating
25 petitions. The fee ~~shall~~**must** be deposited in the general fund of
26 the county and ~~shall~~**must** be refunded to candidates who are
27 nominated and to an equal number of candidates who receive the next
28 highest number of votes in the primary election. If 2 or more
29 candidates tie in having the lowest number of votes allowing a

1 refund, the sum of \$100.00 ~~shall~~**must** be divided among them. The
2 deposits of all other defeated candidates, as well as the deposits
3 of candidates who withdraw or are disqualified, ~~shall~~**must** be
4 forfeited and the candidates ~~shall~~**must** be notified of the
5 forfeiture. Deposits forfeited under this section ~~shall~~**must** be
6 paid into and credited to the general fund of the county.

7 Sec. 253. A general primary election of all political parties
8 ~~shall~~**must** be held on the Tuesday ~~succeeding~~**after** the first Monday
9 in ~~August~~**June** ~~preceding~~**before** every general November election in
10 which county road commissioners are elected, at which time the
11 qualified and registered electors of each political party may vote
12 for party candidates for the office of county road commissioner.

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

24 (2) To obtain the printing of the name of a candidate of a
25 political party under the particular party's heading ~~upon~~**on** the
26 primary election ballots in the various voting precincts of the
27 county, ~~there may be filed by each candidate, in lieu~~**each**
28 **candidate may file, instead** of filing nominating petitions, a
29 filing fee of \$100.00 to be paid to the county clerk. Payment of

1 the fee and certification of the name of the candidate paying the
 2 fee are governed by the same provisions as in the case of
 3 nominating petitions. The fee must be deposited in the general fund
 4 of the county and must be returned to all candidates who are
 5 nominated and to an equal number of candidates who received the
 6 next highest number of votes in the primary election. If 2 or more
 7 candidates tie in having the lowest number of votes allowing a
 8 refund, the sum of \$100.00 must be divided among them. The deposits
 9 of all other defeated candidates, as well as the deposits of
 10 candidates who withdraw or are disqualified, are forfeited and the
 11 candidates must be notified of the forfeitures. Deposits forfeited
 12 under this section must be paid into and credited to the general
 13 fund of the county.

14 Sec. 322. If a ~~charter~~**city** provides for nomination by caucus
 15 or by filing a petition or affidavit directly for the ~~May~~**March**
 16 election, the candidate filing deadline or certification deadline
 17 is 4 p.m. on the fifteenth Tuesday before the ~~May~~**March** election.

18 Sec. 345. A primary of all political parties ~~shall~~**must** be
 19 held in every organized township of this state on the Tuesday
 20 ~~succeeding~~**after** the first Monday in ~~August~~**preceding** ~~June~~**before**
 21 every general November election, at which time the qualified and
 22 registered electors of each political party may vote for party
 23 candidates for township offices.

24 Sec. 349. (1) To obtain the printing of the name of a person
 25 as a candidate for nomination by a political party for a township
 26 office under the particular party heading ~~upon~~**on** the official
 27 primary ballots, there must be filed with the township clerk
 28 nominating petitions signed by a number of qualified and registered
 29 electors residing within the township as determined under section

1 544f. Nominating petitions must be in the form prescribed in
2 section 544c. The township clerk shall receive nominating petitions
3 up to 4 p.m. of the fifteenth Tuesday before the ~~August~~**June**
4 primary.

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

24 (3) Within 4 days after the last day for filing nominating
25 petitions or a filing fee, the township clerk shall deliver to the
26 county clerk a list setting forth the name, address, and political
27 affiliation and office sought of each candidate who has qualified
28 for a position on the primary ballot.

29 Sec. 370. (1) Except as provided in section 370a or subsection

1 (2), if a vacancy occurs in an elective or appointive township
2 office, the vacancy ~~shall~~**must** be filled by appointment by the
3 township board, and the person appointed shall hold the office for
4 the remainder of the unexpired term.

5 (2) If 1 or more vacancies occur in an elective township
6 office that cause the number of members serving on the township
7 board to be less than the minimum number of board members that is
8 required to constitute a quorum for the transaction of business by
9 the board, the board of county election commissioners shall make
10 temporary appointment of the number of members required to
11 constitute a quorum for the transaction of business by the township
12 board. An official appointed under this subsection shall hold the
13 office only until the official's successor is elected or appointed
14 and qualified. An official who is temporarily appointed under this
15 subsection shall not vote on the appointment of himself or herself
16 to an elective or appointive township office.

17 (3) If a township official submits a written resignation from
18 an elective township office, for circumstances other than a
19 resignation related to a recall election, that specifies a date and
20 time when the resignation is effective, the township board, within
21 30 days before that effective date and time, may appoint a person
22 to fill the vacancy at the effective date and time of the
23 resignation. The resigning official shall not vote on the
24 appointment.

25 (4) Except as provided in subsection (5), if the township
26 board does not make an appointment under subsection (3), or if a
27 vacancy occurs in an elective township office and the vacancy is
28 not filled by the township board or the board of county election
29 commissioners within 45 days after the beginning of the vacancy,

1 the county clerk of the county in which the township is located
 2 shall call a special election within 5 calendar days to fill the
 3 vacancy. Not later than 4 p.m. on the fifteenth calendar day after
 4 the county clerk calls a special election under this section, the
 5 township party committee for each political party in the township
 6 shall submit a nominee to fill the vacancy. The special election
 7 ~~shall~~**must** be held on the next regular election date that is not
 8 less than 60 days after the deadline for submitting nominees under
 9 this section or 70 days after the deadline for submitting nominees
 10 under this section if the next regular election date is the even
 11 year ~~August~~**June** primary or the general November election. Notice
 12 of the special election ~~shall~~**must** be given in the same manner
 13 required by section 653a. A special election called under this
 14 section does not affect the rights of a qualified elector to
 15 register for any other election. A person elected to fill a vacancy
 16 shall serve for the remainder of the unexpired term.

17 (5) Subsection (4) does not apply to the office of township
 18 constable. If a vacancy occurs in the office of township constable,
 19 the township board shall determine if and when the vacancy ~~shall~~
 20 **must** be filled by appointment. If the township board does not fill
 21 the vacancy by appointment, the office of township constable ~~shall~~
 22 **must** remain vacant until the next general or special election in
 23 which township offices are filled.

24 Sec. 409a. A general nonpartisan primary election ~~shall~~**must**
 25 be held in every appellate court district of this state on the
 26 Tuesday ~~succeeding~~**after** the first Monday in ~~August~~**preceding** ~~June~~
 27 **before** every general November election in which judges of the court
 28 of appeals are to be elected, at which time the qualified and
 29 registered electors may vote for nonpartisan candidates for the

1 office of judge of the court of appeals. ~~Provided, however, That~~
 2 ~~if, If,~~ upon expiration of the time for filing petitions for the
 3 primary election of ~~said-the~~ judge of the court of appeals in any
 4 appellate court district, it ~~shall appear~~ **appears** that there are
 5 not to exceed twice the number of candidates as there are persons
 6 to be elected, then the secretary of state shall certify to the
 7 county board or boards of election commissioners the names of ~~such~~
 8 **the** candidates for court of appeals judge whose nominating
 9 petitions, filing fee, or affidavit of candidacy have been properly
 10 filed, and ~~such-those~~ candidates shall be the nominees for judge of
 11 the court of appeals and shall be so certified. As to ~~such-that~~
 12 office, there ~~shall-must not~~ be ~~no-a~~ primary election and this
 13 office ~~shall-must~~ be omitted from the judicial primary ballot.

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

1 a primary election and this office ~~shall~~**must** be omitted from the
2 judicial primary ballot.

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

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

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

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

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

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

18 (c) A new judgeship.

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

22 (4) In a primary and general election for 2 or more judgeships
23 where more than 1 of the categories in subsection (2) could be
24 selected, a candidate shall apply to the bureau of elections for a
25 written statement of office designation to correspond to the
26 judgeship sought by the candidate. The office designation provided
27 by the secretary of state must be included in the heading of all
28 nominating petitions. Nominating petitions containing an improper
29 office designation are invalid.

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

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

22 (a) The candidate brings the action for equitable relief
23 within 6 days after the candidate is notified by the county clerk
24 or, in the case of a probate court district, the secretary of state
25 that the candidate's nominating petition contains insufficient
26 signatures.

27 (b) The candidate files an affidavit certifying that he or she
28 contacted and received from the county clerk or, in the case of a
29 probate court district, the secretary of state incorrect or

1 inaccurate written information concerning the number of nominating
2 petition signatures required under section 544f.

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

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

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

22 (8) The nominating petition signatures filed under this
23 section are subject to challenge as provided in section 552.

24 Sec. 467a. A general nonpartisan primary election must be held
25 in every district and election division of this state on the
26 Tuesday after the first Monday in ~~August~~ **June** before the general
27 election at which judges of the district court are elected, at
28 which time the qualified and registered electors may vote for
29 nonpartisan candidates for judge of the district court. If upon the

1 expiration of the time for filing petitions of candidacy for the
 2 primary election of the judge of the district court in any district
 3 or election division, it appears that there are not to exceed twice
 4 the number of candidates as there are persons to be elected, the
 5 secretary of state shall certify to the county board of election
 6 commissioners the name of those candidates for district court judge
 7 whose petitions or affidavits of candidacy have been properly filed
 8 and those candidates are the nominees for the judge of the district
 9 court and must be so certified. As to that office, there must not
 10 be a primary election and this office must be omitted from the
 11 judicial primary ballot.

12 Sec. 534. A general primary of all political parties except as
 13 provided in sections 532 and 685 must be held in every election
 14 precinct in this state on the Tuesday after the first Monday in
 15 ~~August~~**June** before every general November election, at which time
 16 the qualified and registered voters of each political party may
 17 vote for party candidates for the office of governor, United States
 18 Senator, Representative in Congress, state senator, representative
 19 in the legislature, county executive, prosecuting attorney,
 20 sheriff, county clerk, county treasurer, register of deeds, drain
 21 commissioner, public works commissioner, county road commissioner,
 22 county mine inspector, surveyor, and candidates for office in
 23 townships. A nomination for an office must be made only if the
 24 official is to be elected at the next succeeding general November
 25 election.

26 Sec. 535. A general primary ~~shall~~**must** be held in every
 27 election precinct in this state on the Tuesday ~~succeeding~~**after** the
 28 first Monday in ~~August~~**June before** every general November
 29 election, at which time the qualified and registered voters may

1 vote for nonpartisan candidates for the office of judge of the
 2 court of appeals, judge of the circuit court, judge of probate, and
 3 for circuit court commissioner in the years ~~in which such~~ **that**
 4 **those** officers are to be elected.

5 Sec. 551. ~~Until December 31, 2013, the secretary of state and~~
 6 ~~the various county, township, and city clerks shall receive~~
 7 ~~nominating petitions or filing fees filed under this act up to 4~~
 8 ~~p.m., eastern standard time, of the twelfth Tuesday before the~~
 9 ~~August primary. Beginning January 1, 2014, the~~ **The** secretary of
 10 state and the various county, township, and city clerks shall
 11 receive nominating petitions or filing fees filed under this act up
 12 to 4 p.m. ~~, eastern standard time,~~ of the fifteenth Tuesday before
 13 the ~~August~~ **June** primary. The provisions of this section do not
 14 apply to a city that does not nominate its officers under the
 15 provisions of this act.

16 Sec. 559. It ~~shall be~~ **is** the duty of the board of election
 17 commissioners of each county in this state to prepare and furnish
 18 the necessary official primary election ballots, except for city
 19 offices, ~~which~~ **that** may be required for use by the electors of any
 20 political party at the ~~August~~ **June** primary.

21 Sec. 591. ~~(1)~~ Except as provided in ~~subsection (2) and section~~
 22 532, the state convention of all political parties for the
 23 nomination of candidates for state offices in the even numbered
 24 years ~~shall~~ **must** commence not less than 60 days before the general
 25 November election. The date, time, and location of the state
 26 convention ~~shall~~ **must** be designated by the state central committees
 27 of the various political parties in their call for a state
 28 convention. The calls ~~shall~~ **must** be issued at least 60 days before
 29 the ~~August~~ **June** primaries.

1 ~~(2) In 2012 only, the state convention of all political~~
 2 ~~parties for the nomination of candidates for state offices shall~~
 3 ~~commence not less than 58 days before the general November~~
 4 ~~election. The date, time, and location of the state convention~~
 5 ~~shall be designated by the state central committees of the various~~
 6 ~~political parties in their call for a state convention. The calls~~
 7 ~~shall be issued at least 60 days before the August primaries.~~

8 Sec. 592. (1) Except as provided in section 532, the county
 9 conventions of all political parties for the election of delegates
 10 to a state convention for the nomination of state officers in the
 11 even numbered years ~~shall~~**must** be held not less than 8 days nor
 12 more than 25 days after the ~~August~~**June** primaries.

13 (2) All county conventions of a political party ~~shall~~**must** be
 14 held on the same day throughout ~~the~~**this** state. The date ~~shall~~**must**
 15 be designated by the state central committee of a political party
 16 in its call for the state convention. The place and hour of meeting
 17 of a county convention ~~shall~~**must** be designated in the call issued
 18 by the county committee of the political party in the county, which
 19 call ~~shall~~**must** be issued not less than 45 days before the ~~August~~
 20 **June** primaries. The number of delegates to the state convention ~~to~~
 21 ~~which~~**that** the political party in the county is entitled ~~shall~~**to**
 22 **must** be chosen at the county convention.

23 (3) In all counties having or ~~which~~**that** may hereafter have 2
 24 or more congressional districts or parts of congressional districts
 25 within the boundaries of the county, the congressional districts or
 26 a part of a congressional district within the counties ~~shall~~**must**
 27 each be considered a county within the provisions of this section
 28 for the holding of the county conventions provided for in this
 29 section, and ~~shall~~**must** be in place of the county convention. The

1 nominee for ~~congress~~**Congress** of the congressional district in the
 2 preceding primary election, the county chairperson, and the county
 3 secretary of the several political parties shall constitute a
 4 committee in each congressional district to name the temporary
 5 chairperson of the first district convention held under this act.
 6 Thereafter, the district chairperson shall act as temporary
 7 chairperson. The convention ~~shall~~**must** organize the same as county
 8 conventions and ~~shall~~**must** elect delegates to the state convention.
 9 The chairperson and secretary of the convention shall certify to
 10 the state central committee the names and addresses of the
 11 delegates elected, and, when certified, those delegates shall
 12 become the delegates from the district to the state convention.

13 Sec. 598. (1) The state central committee of each political
 14 party shall, at least 60 days before the ~~August~~**June** primary,
 15 forward by mail to the chairperson of each county committee of the
 16 political party a copy of the call for the fall state convention of
 17 the political party, showing the number of delegates ~~to which~~**that**
 18 each county is entitled **to** in the state convention of the political
 19 party. The state central committee shall apportion the delegates to
 20 the several counties in proportion to the number of votes cast for
 21 the candidate of the party for secretary of state in each county,
 22 respectively, at the last preceding November general election.

23 (2) In addition to the number of delegates allocated to each
 24 county under subsection (1), the state central committees shall
 25 allocate an additional number of delegates equal to the number of
 26 incumbent legislators nominated by their party and residing in the
 27 county.

28 Sec. 611. (1) In the year 1956, and each fourth year after
 29 1956, delegates of each political party who were elected to the

1 last prior fall county convention shall reconvene in a county
 2 convention. The county conventions, when so convened, ~~shall~~**must**
 3 elect delegates to a state convention. The number of delegates
 4 elected ~~shall~~**must** be the same as the number elected to the last
 5 prior spring state convention. The county conventions ~~shall~~**must** be
 6 held at least 90 days ~~prior to~~**before** the time set for the holding
 7 of the national convention of its political party. All county
 8 conventions ~~shall~~**must** be held on the same day and time. The time
 9 and place ~~shall~~**must** be fixed by the state central committee. A
 10 state convention composed of delegates elected by the respective
 11 county conventions ~~shall~~**must** be held in the year 1956, and each
 12 fourth year after 1956, at least 60 days before the holding of the
 13 national convention of its political party.

14 (2) As used in this section:

15 (a) "Delegates of each political party who were elected to the
 16 last prior fall county convention" means precinct delegates elected
 17 at the last prior ~~August~~ primary election, persons nominated as
 18 candidates for county offices and state legislative offices who are
 19 delegates at large to county conventions under section 599(5), and
 20 delegates elected under section 622 or 624d to fill a precinct
 21 delegate vacancy for the balance of an unexpired term.

22 (b) "Persons nominated as candidates for county offices and
 23 state legislative offices who are delegates at large to county
 24 conventions under section 599(5)" means incumbent county officials,
 25 incumbent state legislators, and unsuccessful candidates for county
 26 offices and state legislative offices who are candidates at the
 27 last prior regular or special election held for the respective
 28 office.

29 (3) Delegates to a state convention shall include only those

1 delegates elected at a county convention.

2 Sec. 623a. (1) On or before ~~April~~**February** 1 in even numbered
3 years, the chairperson of the county committee or district
4 committee of a congressional district or a part of a congressional
5 district considered a county under section 592 of each political
6 party shall forward by mail or otherwise deliver to the board of
7 election commissioners in that county a certificate showing the
8 number of delegates to the county convention to which each precinct
9 of the county is entitled. The chairperson of the state central
10 committee of a political party shall notify the chairperson of the
11 county committee or district committee of a congressional district
12 or a part of a congressional district considered a county under
13 section 592 of that political party no later than ~~March~~**January** 1
14 in even numbered years that the certificate required by this
15 subsection is to be delivered to the board of election
16 commissioners on or before ~~April~~**February** 1 of that year.

17 (2) If the chairperson fails to forward the certificate
18 required by subsection (1) by the day specified, the board of
19 election commissioners shall immediately determine the number of
20 delegates to the county convention that each precinct should elect
21 for ~~the implementation of~~**implementing** this act.

22 (3) The allotment of delegates to all precincts in ~~the~~**this**
23 state ~~shall~~**must** be made to insure, as near as is practicable,
24 equal apportionment based upon the total vote cast for the
25 candidate of each political party for either ~~president~~**President** of
26 the United States or secretary of state at the last general
27 November election when elections for those offices were held,
28 whichever is later. However, each precinct ~~shall~~**must** have at least
29 1 delegate.

1 (4) The apportionment ~~shall~~**must** be based on the precincts as
2 they exist 180 days before the ~~August~~**June** primary election in even
3 numbered years.

4 (5) As many delegates in each precinct as a political party is
5 entitled to according to the certificate authorized by the
6 chairperson of the county committee or the board of election
7 commissioners ~~shall~~**must** be elected at the ~~August~~**June** primary in
8 even numbered years by direct vote of the registered electors of
9 each political party in the county.

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

13 (a) The ~~May~~**March** regular election date, which is the first
14 Tuesday after the first Monday in ~~May~~**March**. **However, in each**
15 **presidential election year when a statewide presidential primary is**
16 **held under section 613a, the March regular election date is the**
17 **second Tuesday in March.**

18 (b) The ~~August~~**June** regular election date, which is the first
19 Tuesday after the first Monday in ~~August~~**June**.

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

22 ~~(d) In each presidential election year when a statewide~~
23 ~~presidential primary election is held, the date of the statewide~~
24 ~~presidential primary election as provided in section 613a.~~

25 (2) If an elective office is listed by name in section 643,
26 requiring the election for that office to be held at the general
27 election, and if candidates for the office are nominated at a
28 primary election, the primary election ~~shall~~**must** be held on the
29 ~~August~~**June** regular election date.

1 (3) Except as otherwise provided in this subsection and
2 subsection (4), a special election ~~shall~~**must** be held on a regular
3 election date. A special election called by the governor under
4 section 145, 178, 632, 633, or 634 to fill a vacancy or called by
5 the legislature to submit a proposed constitutional amendment as
6 authorized in section 1 of article XII of the state constitution of
7 1963 may, but is not required to be, held on a regular election
8 date.

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

1 the special election ~~shall~~**must** be held on a Tuesday. A special
 2 election called by a school district under this subsection ~~shall~~
 3 **must** not be held within 30 days before or 35 days after a regular
 4 election date as provided in subsection (1). A school district may
 5 only call 1 special election ~~pursuant to~~**under** this subsection in
 6 each calendar year.

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

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

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

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

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

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

21 (d) A city that holds its regular election primary for a city
 22 office annually or in the even year on the August regular primary
 23 election date shall continue holding primary elections on that
 24 schedule.

25 (2) If, on September 1, 2004, a city holds its regular
 26 election at other than a regular November election date, the city
 27 council may choose to hold the regular election on the May regular
 28 election date by adopting a resolution in compliance with this
 29 section. Except as provided in section 642a, if a city council

1 adopts the resolution in compliance with this section to hold its
2 regular election on the May regular election date, after December
3 31, 2004, the city's regular election is on the May regular
4 election date. If a city's regular election is held on the May
5 regular election date, the city shall not hold a regular primary
6 election.

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

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

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

1 (a) A village shall hold its regular election for a village
2 office at the general election and the appropriate township clerk
3 shall conduct the election.

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

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

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

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

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

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

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

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

28 (d) The council votes on the resolution and, on a record roll
29 call vote, a majority of the council's board members, elected or

1 appointed, and serving, adopt the resolution.

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

4 Sec. 642a. (1) After December 31, 2004, ~~2020~~, a city council
5 that adopted a resolution so that its regular election is held on
6 the May regular election date ~~may change its regular election to~~
7 ~~the odd year general election by adopting a resolution in~~
8 ~~compliance with section 642. If a city council adopts the~~
9 ~~resolution in compliance with section 642 to hold its regular~~
10 ~~election at the odd year general election, after December 31 of the~~
11 ~~year in which the resolution is adopted, the city's regular~~
12 ~~election is at the odd year general election.~~ **shall hold its regular**
13 **election on the March regular election date.**

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

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

26 (4) After December 31, 2011, a city that holds its regular
27 election for city offices annually or in the odd year on the
28 November regular election date may change its regular election
29 schedule to the even year general election and the even year

1 primary election by adopting a resolution in compliance with
 2 section 642. If a city council adopts the resolution in compliance
 3 with section 642, after December 31 of the year in which the
 4 resolution is adopted, the city's regular election is at the even
 5 year general election and its primary is at the even year primary
 6 election.

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

11 (6) **After December 31, 2020, a city that holds its regular**
 12 **election primary for a city office annually or in the even year on**
 13 **the August regular primary election date shall hold its regular**
 14 **election primary on the June regular primary election date.**

15 Sec. 686a. (1) If a political party entitled to a position on
 16 the ballot failed to have at least 1 candidate who polled at least
 17 5% of the total vote cast for all candidates for secretary of state
 18 at the last preceding election at which a secretary of state was
 19 elected, candidates for that political party shall be nominated as
 20 provided in section 532. County caucuses and state conventions for
 21 ~~such~~ **these** political parties ~~shall~~ **must** be held not later than the
 22 ~~August~~ **June** primary.

23 (2) County caucuses may nominate candidates for the office of
 24 ~~representative~~ **Representative** in ~~congress,~~ **Congress**, state senator,
 25 and state representative if the offices represent districts
 26 contained wholly within the county, and for all county and township
 27 offices. Not more than 1 business day after the conclusion of the
 28 caucus, the names and mailing addresses of all candidates ~~se~~
 29 nominated and the offices for which they were nominated ~~shall~~ **must**

1 be certified by the chairperson and secretary of the caucus to the
 2 county clerk. The certification ~~shall~~**must** be accompanied by an
 3 affidavit of identity for each candidate named in the certificate
 4 as provided in section 558 and a separate written certificate of
 5 acceptance of nomination signed by each candidate named on the
 6 certificate. The form of the certificate of acceptance ~~shall~~**must**
 7 be prescribed by the secretary of state. If a candidate is ~~so~~
 8 certified with the accompanying affidavit of identity and
 9 certificate of acceptance, the name of the candidate ~~shall~~**must** be
 10 printed on the ballot for that election. Candidates nominated and
 11 certified ~~shall~~**are** not ~~be~~ permitted to withdraw.

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

15 (4) The state convention ~~shall~~**must** be held at the time and
 16 place indicated in the call. The convention ~~shall~~**must** consist of
 17 delegates selected by the county caucuses. The convention may fill
 18 vacancies in a delegation from qualified electors of that county
 19 present at the convention. The convention may nominate candidates
 20 for all state offices. District candidates may be nominated at
 21 district caucuses held in conjunction with the state convention
 22 attended by qualified delegates of the district. If delegates of a
 23 district are not present, a district caucus ~~shall~~**must** not be held
 24 for that district and candidates ~~shall~~**must** not be nominated for
 25 that district. Not more than 1 business day after the conclusion of
 26 the convention, the names and mailing addresses of the candidates
 27 nominated for state or district offices ~~shall~~**must** be certified by
 28 the chairperson and secretary of the state convention to the
 29 secretary of state. The certification ~~shall~~**must** be accompanied by

1 an affidavit of identity for each candidate named in the
 2 certificate as provided in section 558 and a separate written
 3 certificate of acceptance of nomination signed by each candidate
 4 named on the certificate. The form of the certificate of acceptance
 5 ~~shall~~**must** be prescribed by the secretary of state. The names of
 6 candidates ~~se~~-certified with accompanying affidavit of identity and
 7 certificate of acceptance ~~shall~~**must** be printed on the ballot for
 8 the forthcoming election. Candidates ~~se~~-nominated and certified
 9 ~~shall~~**are** not ~~be~~-permitted to withdraw.

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

29 (2) If a candidate whose name is printed on the official

1 ballot for the election dies or is otherwise disqualified after 4
2 p.m. on the second Friday immediately before the election, the
3 requirement of filing a declaration of intent to be a write-in
4 candidate under subsection (1) does not apply to a write-in
5 candidate. If a death or disqualification has occurred as described
6 in this subsection, the board of election inspectors shall count
7 all write-in votes for write-in candidates for the office sought by
8 the deceased or disqualified candidate.

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

1 (4) The secretary of state shall prescribe forms for the
 2 declaration of intent to be a write-in candidate. Clerks shall
 3 maintain a supply of declaration of intent to be a write-in
 4 candidate forms in the clerk's office and make the forms available
 5 in the polling places during the ~~August~~**June** primary for this
 6 purpose. The declaration of intent to be a write-in candidate form
 7 must include all of the following information:

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

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

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

14 (d) Other information the secretary of state considers
 15 appropriate.

16 Sec. 821. ~~(1) Except as provided in subsection (2), the~~**The**
 17 board of county canvassers shall meet at the office of the county
 18 clerk no later than 9 a.m. on the Thursday after any election held
 19 in the county. The county clerk or the county clerk's staff shall
 20 determine the meeting date and time for the board of county
 21 canvassers.

22 ~~(2) If, at an election held on the May regular election date,~~
 23 ~~a ballot question appears on the ballot concerning an authorized~~
 24 ~~millage that is subject to a millage reduction as provided in~~
 25 ~~section 34d of the general property tax act, 1893 PA 206, MCL~~
 26 ~~211.34d, the board of county canvassers shall meet to canvass and~~
 27 ~~certify the results of the vote on that proposition after May 31~~
 28 ~~and before June 15 following the election.~~

29 Sec. 963. (1) Within 35 days after the filing of the recall

1 petition, the filing official with whom the recall petition is
2 filed shall make an official declaration of the sufficiency or
3 insufficiency of the recall petition. If the recall petition is
4 determined to be insufficient, the filing official shall notify the
5 person or organization sponsoring the recall of the insufficiency
6 of the recall petition. It is not necessary to give notification
7 unless the person or organization sponsoring the recall files with
8 the filing official a written notice of sponsorship and a mailing
9 address.

10 (2) If a recall petition is filed under section 960,
11 immediately upon determining that the recall petition is
12 sufficient, but not later than 35 days after the date of filing of
13 the recall petition, the county clerk with whom the recall petition
14 is filed shall call the recall election and proceed under sections
15 971c to 975. The recall election ~~shall~~**must** be held not less than
16 95 days after the date the recall petition is filed and ~~shall~~**must**
17 be held on the next ~~May~~**March** regular election date or the next
18 November regular election date, whichever occurs first.

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

26 (4) If a recall petition is filed under section 959 demanding
27 the recall of the governor, the filing official with whom the
28 recall petition is filed shall call a special recall election and
29 proceed under sections 975c to 975g. The special recall election

1 ~~shall~~**must** be held not less than 95 days after the date the recall
2 petition is filed and ~~shall~~**must** be held on the next ~~May~~**March**
3 regular election date or the next ~~August~~**November** regular election
4 date, whichever occurs first.

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