

HOUSE BILL No. 4974

July 13, 1989, Introduced by Reps. Bender, Emmons, Van Regenmorter, Bartnik, Randall, Allen, Johnson, Miller, Ciaramitaro, Weeks, Crandall and Sparks and referred to the Committee on Elections.

A bill to amend sections 53, 93, 133, 163, 193, 209, 224, 239, 254, 269, 284, 322, 325, 349, 358, 370a, 409b, 409d, 413, 424, 426d, 433, 444, 467b, 467m, 551, 552, 624, 644f, 646a, 713, and 714 of Act No. 116 of the Public Acts of 1954, entitled "Michigan election law," section 358 as amended by Act No. 433 of the Public Acts of 1988, sections 409b, 426d, 433, and 467b as amended by Act No. 149 of the Public Acts of 1982, section 624 as amended by Act No. 116 of the Public Acts of 1988, and section 714 as amended by Act No. 140 of the Public Acts of 1981, being sections 168.53, 168.93, 168.133, 168.163, 168.193, 168.209, 168.224, 168.239, 168.254, 168.269, 168.284, 168.322, 168.325, 168.349, 168.358, 168.370a, 168.409b, 168.409d, 168.413, 168.424, 168.426d, 168.433, 168.444, 168.467b, 168.467m, 168.551, 168.552, 168.624,

168.644f, 168.646a, 168.713, and 168.714 of the Michigan Compiled Laws; and to repeal certain parts of the act.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 53, 93, 133, 163, 193, 209, 224, 239,
2 254, 269, 284, 322, 325, 349, 358, 370a, 409b, 409l, 413, 424,
3 426d, 433, 444, 467b, 467m, 551, 552, 624, 644f, 646a, 713, and
4 714 of Act No. 116 of the Public Acts of 1954, section 358 as
5 amended by Act No. 433 of the Public Acts of 1988, sections 409b,
6 426d, 433, and 467b as amended by Act No. 149 of the Public Acts
7 of 1982, section 624 as amended by Act No. 116 of the Public Acts
8 of 1988, and section 714 as amended by Act No. 140 of the Public
9 Acts of 1981, being sections 168.53, 168.93, 168.133, 168.163,
10 168.193, 168.209, 168.224, 168.239, 168.254, 168.269, 168.284,
11 168.322, 168.325, 168.349, 168.358, 168.370a, 168.409b, 168.409l,
12 168.413, 168.424, 168.426d, 168.433, 168.444, 168.467b, 168.467m,
13 168.551, 168.552, 168.624, 168.644f, 168.646a, 168.713, and
14 168.714 of the Michigan Compiled Laws, are amended to read as
15 follows:

16 Sec. 53. To obtain the printing of the ~~names of persons as~~
17 ~~candidates~~ NAME OF A PERSON AS A CANDIDATE for nomination by a
18 political party for the office of governor under a particular
19 party heading upon the official primary ballots, there shall be
20 filed with the secretary of state ~~—~~ nominating petitions ~~—~~
21 signed by a number of qualified and registered electors residing
22 in this state ~~—~~ equal to not less than 1% ~~nor~~ OR more than 4%
23 of the number of votes cast by the party for secretary of state
24 at the last ~~preceding~~ GENERAL November election in which a

1 secretary of state was elected. Nominating petitions shall be
2 signed by at least 100 registered resident electors in each of at
3 least 20 counties of the state, and not more than 25% of the
4 MINIMUM REQUIRED NUMBER OF SIGNATURES SHALL BE BY QUALIFIED AND
5 REGISTERED ELECTORS OF ANY 1 county. Nominating petitions shall
6 be in the form as prescribed in section ~~544 of this act~~ 544C.
7 Nominating petitions shall be received by the secretary of state
8 for filing in accordance with this act up to 4 p.m. ~~—~~ of the
9 ~~ninth~~ TWELFTH Tuesday preceding the August primary.

10 Sec. 93. To obtain the printing of the name of a person as
11 a candidate for nomination by a political party for the office of
12 United States senator under a particular party heading upon the
13 official primary ballots, there shall be filed with the secretary
14 of state ~~—~~ nominating petitions ~~—~~ signed by a number of qual-
15 ified and registered electors residing within this state ~~—~~
16 equal to not less than 1% ~~—~~ OR more than 4% of the number of
17 votes cast by the party for secretary of state at the last
18 ~~preceding~~ general November election IN WHICH A SECRETARY OF
19 STATE WAS ELECTED. The petitions shall be signed by at least 100
20 qualified and registered electors in each of at least 20 counties
21 of the state, and not more than 25% of the minimum required
22 number of signatures ~~may~~ SHALL be by qualified and registered
23 ~~voters~~ ELECTORS of any 1 county. Nominating petitions shall be
24 in the form as prescribed in section ~~544 of this act~~ 544C. The
25 petitions shall be received by the secretary of state for filing
26 in accordance with this act up to 4 p.m. of the ~~ninth~~ TWELFTH
27 Tuesday preceding the August primary.

1 Sec. 133. To obtain the printing of the name of a person as
2 a candidate for nomination by a political party for the office of
3 representative in congress under a particular party heading upon
4 the official primary ballots in the various election precincts of
5 ~~the~~ A congressional district, ~~when the district is comprised~~
6 ~~of 1 county or less,~~ there shall be filed ~~with the county clerk~~
7 ~~of that county,~~ nominating petitions ~~,~~ signed by a number of
8 qualified and registered electors residing in the district ~~,~~
9 equal to not less than 1% ~~nor~~ OR more than 4% of the number of
10 votes cast by the party in the district for secretary of state at
11 the last ~~preceding~~ GENERAL November election ~~,~~ ~~and in the case~~
12 ~~of a candidate for representative in congress, in a district~~
13 ~~comprising~~ IN WHICH A SECRETARY OF STATE WAS ELECTED. IF THE
14 CONGRESSIONAL DISTRICT COMPRISES more than 1 county, ~~to obtain~~
15 ~~the printing of the name of a candidate of a political party~~
16 ~~under a particular party heading upon the official primary bal-~~
17 ~~lots in the various election precincts of the district, there~~
18 THE NOMINATING PETITIONS shall be filed with the secretary of
19 state. ~~nominating petitions, signed by a number of qualified~~
20 ~~and registered electors residing in the district equal to not~~
21 ~~less than 1% nor more than 4% of the number of votes cast by the~~
22 ~~party for secretary of state at the last preceding general~~
23 ~~November election.~~ IF THE CONGRESSIONAL DISTRICT COMPRISES 1
24 COUNTY OR LESS, THE NOMINATING PETITIONS SHALL BE FILED WITH THE
25 COUNTY CLERK OF THAT COUNTY. Nominating petitions shall be in the
26 form as prescribed in section ~~544~~ 544C. The secretary of state
27 and the various county clerks shall receive nominating petitions

1 for filing in accordance with this act up to 4 p.m. ~~—~~ of the
2 ~~ninth~~ TWELFTH Tuesday preceding the August primary.

3 Sec. 163. (1) To obtain the printing of the name of a
4 person as a candidate for nomination by a political party for the
5 ~~offices~~ OFFICE of state senator or representative under a par-
6 ticular party heading upon the official primary ballots in the
7 various election precincts of ~~the~~ A district, ~~when the dis-~~
8 ~~trict is comprised of 1 county or less,~~ there shall be filed
9 ~~with the county clerk of that county,~~ nominating petitions
10 signed by a number of qualified and registered electors residing
11 in the district equal to not less than 1% ~~nor~~ OR more than 4%
12 of the number of votes cast by the party in the district for sec-
13 retary of state at the last ~~preceding~~ GENERAL November election
14 ~~, and, in the case of a candidate for either of the offices in a~~
15 ~~district comprising~~ IN WHICH A SECRETARY OF STATE WAS ELECTED.
16 IF THE DISTRICT COMPRISES more than 1 county, ~~to obtain the~~
17 ~~printing of the name of a candidate of a political party under a~~
18 ~~particular party heading upon the official primary ballots in the~~
19 ~~various election precincts of the district, there~~ THE NOMINATING
20 PETITIONS shall be filed with the secretary of state.
21 ~~nominating petitions signed by a number of qualified and regis-~~
22 ~~tered electors residing in the district equal to not less than 1%~~
23 ~~nor more than 4% of the number of votes cast by the party for~~
24 ~~secretary of state in the district at the last preceding general~~
25 ~~November election.~~ IF THE DISTRICT COMPRISES 1 COUNTY OR LESS,
26 THE NOMINATING PETITIONS SHALL BE FILED WITH THE COUNTY CLERK OF
27 THAT COUNTY. Nominating petitions shall be in the form ~~as~~

1 prescribed in section ~~544~~ 544C. The secretary of state and the
 2 various county clerks shall receive nominating petitions for
 3 filing in accordance with this act up to 4 p.m. OF the ~~ninth~~
 4 TWELFTH Tuesday preceding the August primary. ~~In a county enti-~~
 5 ~~led to 1 or more representatives in the state legislature, to~~
 6 ~~obtain the printing of the name of a candidate of a political~~
 7 ~~party under the particular party heading upon the primary elec-~~
 8 ~~tion ballots in the various voting precincts of the district,~~
 9 ~~there shall be filed by each candidate with the county clerk of~~
 10 ~~the county of which the district forms a part, a nominating peti-~~
 11 ~~tion signed by a number of registered and qualified voters resid-~~
 12 ~~ing in the district equal to not less than 1% nor more than 4% of~~
 13 ~~the number of votes that the political party cast in the district~~
 14 ~~for secretary of state at the last preceding November election.~~

15 (2) In lieu of filing a nominating petition, a filing fee of
 16 \$100.00 may be paid to the county clerk ~~,~~ or, ~~in the case of~~
 17 ~~candidates~~ FOR A CANDIDATE in a district comprising more than 1
 18 county, to the secretary of state. ~~, payment~~ PAYMENT of the
 19 fee and certification of the ~~candidate's~~ name OF THE CANDIDATE
 20 paying the fee shall be governed by the same provisions as in the
 21 case of nominating petitions. The fee shall be deposited in the
 22 general fund of the county or state and shall be ~~returned~~
 23 REFUNDED to ~~all~~ candidates who ~~shall be~~ ARE nominated and to
 24 ~~a like~~ AN EQUAL number of candidates who ~~are~~ RECEIVE THE next
 25 highest ~~in order thereto in the~~ number of votes ~~received~~ in
 26 the primary election. ~~and in case~~ IF 2 or more candidates
 27 ~~shall~~ tie in having the lowest number of votes allowing a

1 refund, ~~hereunder,~~ the sum of \$100.00 shall be divided ~~or~~
2 ~~prorated~~ among them. A refund of a deposit shall not be made to
3 a candidate who withdraws.

4 Sec. 193. (1) To obtain the printing of the name of a
5 person as a candidate for nomination by a political party for
6 ~~the offices~~ AN OFFICE named in section 191 under a particular
7 party heading upon the official primary ballots, there shall be
8 filed with the county clerk ~~of each county~~ nominating petitions
9 signed by a number of qualified and registered electors residing
10 within the county ~~—~~ equal to not less than 1% ~~nor~~ OR more
11 than 4% of the number of votes cast by the party in the county
12 for secretary of state at the last general NOVEMBER election in
13 which a secretary of state was elected. Nominating petitions
14 shall be in the form prescribed in section ~~544~~ 544C. The
15 county clerk shall receive nominating petitions up to 4 p.m. ~~—~~
16 of the ~~ninth~~ TWELFTH Tuesday preceding the August primary. ~~in~~
17 ~~which the officers named in section 191 are to be nominated.~~

18 (2) To obtain the printing of the name of a candidate of a
19 political party under the particular party's heading upon the
20 primary election ballots in the various voting precincts of the
21 county, there may be filed by ~~each~~ THE candidate, in lieu of
22 filing nomination petitions, ~~as herein provided,~~ a filing fee
23 of \$100.00 to be paid to the county clerk. Payment of the fee
24 and certification of the candidate's name paying the fee shall be
25 governed by the same provisions as in the case of nominating
26 petitions. The fee shall be deposited in the general fund of the
27 county and shall be ~~returned~~ REFUNDED to ~~all~~ candidates who

1 ~~shall be~~ ARE nominated and to ~~a like~~ AN EQUAL number of
 2 candidates who ~~are~~ RECEIVE THE next highest ~~in order thereto~~
 3 ~~in the~~ number of votes ~~received~~ in the primary election. →
 4 ~~and in case~~ IF 2 or more candidates ~~shall~~ tie in having the
 5 lowest number of votes allowing a refund, ~~hereunder,~~ the sum of
 6 \$100.00 shall be divided ~~or prorated~~ among them. The deposits
 7 of all other defeated candidates, as well as the deposits of
 8 ~~all~~ candidates who ~~may~~ withdraw or ~~be~~ ARE disqualified,
 9 shall be forfeited, and the candidates shall be notified of the
 10 forfeiture. Deposits forfeited under this section shall be paid
 11 into and credited to the general fund of the county.

12 Sec. 209. ~~When~~ IF a vacancy ~~shall occur~~ OCCURS in an
 13 elective or appointive county office, it shall be filled in the
 14 following manner:

15 (1) If the vacancy ~~shall be~~ IS in the office of county
 16 clerk or prosecuting attorney, it shall be filled by appointment
 17 by the judge or judges of that judicial circuit.

18 (2) If the vacancy ~~shall be~~ IS in any other county office,
 19 ~~either elective or appointive,~~ the presiding or senior judge of
 20 probate, the county clerk, and the prosecuting attorney shall
 21 appoint ~~some~~ A suitable person to fill ~~such~~ THE vacancy.

22 (3) ~~Any~~ A person ~~so~~ appointed shall take and subscribe
 23 to the oath as provided in section 1 of article ~~++~~ XI of the
 24 state constitution OF 1963, give bond in the manner required by
 25 law, and ~~shall~~ hold ~~such~~ office for the remainder of the
 26 unexpired term and until ~~his~~ A successor ~~shall have been~~ IS
 27 elected and qualified. However, if the next general NOVEMBER

1 election is to be held more than ~~+50-~~ 182 days after the vacancy
 2 occurs, and it is not the general NOVEMBER election at which a
 3 successor in office would be elected if there ~~had been~~ WERE no
 4 vacancy, the person appointed shall hold office only until a suc-
 5 cessor is elected at ~~-such-~~ THE NEXT general NOVEMBER election ~~7~~
 6 ~~held more than +50 days after the vacancy occurs,~~ in the manner
 7 provided by law and qualifies for office. ~~-Such-~~ THE successor
 8 shall hold the office for the remainder of the unexpired term.

9 Sec. 224. (1) To obtain the printing of the name of a
 10 person as candidate for nomination by a political party for the
 11 office of county auditor under a particular party heading upon
 12 the official primary ballots, there shall be filed with the
 13 county clerk ~~of each county~~ nominating petitions signed by a
 14 number of qualified and registered electors residing within the
 15 county ~~7~~ equal to not less than 1% ~~nor~~ OR more than 4% of the
 16 number of votes cast by the party in the county for secretary of
 17 state at the last ~~preceding~~ general November election in which
 18 a secretary of state was elected. Nominating petitions shall be
 19 in the form prescribed in section ~~-544-~~ 544C. The county clerk
 20 shall receive nominating petitions up to 4 p.m. of the ~~ninth~~
 21 TWELFTH Tuesday preceding the August primary.

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

1 and certification of the ~~candidate's~~ name OF THE CANDIDATE
 2 paying the fee shall be governed by the same provisions as in the
 3 case of nominating petitions. The fee shall be deposited in the
 4 general fund of the county and shall be ~~returned~~ REFUNDED to
 5 ~~all~~ candidates who ~~shall be~~ ARE nominated and to ~~a like~~ AN
 6 EQUAL number of candidates who ~~are~~ RECEIVED THE next highest
 7 ~~in order thereto in the~~ number of votes ~~received~~ in the pri-
 8 mary election. ~~, and in case~~ IF 2 or more candidates ~~shall~~
 9 tie in having the lowest number of votes allowing a refund,
 10 ~~hereunder,~~ the sum of \$100.00 shall be divided ~~or prorated~~
 11 among them. The deposits of all other defeated candidates ~~or~~
 12 AND of candidates who ~~may~~ withdraw or ~~be~~ ARE disqualified
 13 shall be forfeited, and the candidates shall be notified of the
 14 forfeitures. Deposits forfeited under this section shall be paid
 15 into and credited to the general fund of the county.

16 Sec. 239. ~~Whenever~~ IF a vacancy ~~shall occur~~ OCCURS in
 17 the office of county auditor, ~~of any county,~~ a qualified person
 18 ~~to fill said vacancy~~ shall be appointed TO FILL THE VACANCY by
 19 a committee consisting of the presiding or senior judge of pro-
 20 bate, the county clerk, and the prosecuting attorney of ~~said~~
 21 THE county, 2 of whom shall constitute a quorum. The person ~~so~~
 22 appointed shall take the oath of office, as provided in section 1
 23 of article ~~++~~ XI of the state constitution OF 1963, give bond
 24 in the manner required by law, and ~~shall~~ hold ~~such~~ office for
 25 the remainder of the unexpired term and until ~~his~~ A successor
 26 is elected and qualified. However, if the next general NOVEMBER
 27 election is to be held more than ~~+50-~~ 182 days after the vacancy

1 occurs, and it is not the general NOVEMBER election at which a
 2 successor in office would be elected if there ~~had been~~ WERE no
 3 vacancy, the person appointed shall hold office only until a suc-
 4 cessor is elected at ~~such~~ THE NEXT general NOVEMBER election ~~7~~
 5 ~~held more than 150 days after the vacancy occurs,~~ in the manner
 6 provided by law and qualifies for office. ~~Such~~ THE successor
 7 shall hold the office for the remainder of the unexpired term.

8 Sec. 254. (1) To obtain the printing of the name of a
 9 person as a candidate for nomination by a political party for the
 10 office of county road commissioner under a particular party head-
 11 ing upon the official primary ballots, there shall be filed with
 12 the county clerk of ~~each~~ THE county nominating petitions signed
 13 by a number of qualified and registered electors residing within
 14 the county ~~7~~ equal to not less than 1% ~~nor~~ OR more than 4% of
 15 the number of votes cast by the party in the county for secretary
 16 of state at the last preceding general November election in which
 17 a secretary of state was elected. Nominating petitions shall be
 18 in the form prescribed in section ~~544~~ 544C. The county clerk
 19 shall receive nominating petitions up to 4 p.m. ~~7~~ of the
 20 ~~ninth~~ TWELFTH Tuesday preceding the August primary in which
 21 county road commissioners are to be elected.

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

1 certification of the ~~candidate's~~ name OF THE CANDIDATE paying
 2 the fee shall be governed by the same provisions as in the case
 3 of nominating petitions. The fee shall be deposited in the gen-
 4 eral fund of the county and shall be returned to all candidates
 5 who ~~shall be~~ ARE nominated and to ~~a like~~ AN EQUAL number of
 6 candidates who ~~are~~ RECEIVED THE next highest ~~in order thereto~~
 7 ~~in the~~ number of votes ~~received~~ in the primary election. →
 8 ~~and in case~~ IF 2 or more candidates ~~shall~~ tie in having the
 9 lowest number of votes allowing a refund, ~~hereunder,~~ the sum of
 10 \$100.00 shall be divided ~~or prorated~~ among them. The deposits
 11 of all other defeated candidates, as well as the deposits of
 12 ~~all~~ candidates who ~~may~~ withdraw or ~~be~~ ARE disqualified,
 13 shall be forfeited, and the candidates shall be notified of the
 14 forfeitures. Deposits forfeited under this section shall be paid
 15 into and credited to the general fund of the county.

16 Sec. 269. ~~Whenever~~ IF a vacancy ~~shall occur~~ OCCURS in
 17 the office of county road commissioner, a qualified person ~~to~~
 18 ~~fill said vacancy~~ shall be appointed TO FILL THE VACANCY by the
 19 COUNTY board of ~~supervisors of said county~~ COMMISSIONERS. The
 20 person so appointed shall take the oath of office, give bond in
 21 the manner required by law, and ~~shall~~ hold ~~such~~ office for
 22 the remainder of the unexpired term and until ~~his~~ A successor
 23 ~~shall have been~~ IS elected and qualified. However, in
 24 ~~counties~~ A COUNTY in which county road commissioners are
 25 elected, if the next general NOVEMBER election is to be held more
 26 than ~~+50-~~ 182 days after the vacancy occurs, and it is not the
 27 general NOVEMBER election at which a successor in office would be

1 elected if there ~~had been~~ WERE no vacancy, the person appointed
 2 shall hold office only until a successor is elected at ~~such~~ THE
 3 NEXT general NOVEMBER election ~~, held more than 150 days after~~
 4 ~~the vacancy occurs,~~ in the manner provided by law and qualifies
 5 for office. ~~Such~~ THE successor shall hold the office for the
 6 remainder of the unexpired term.

7 Sec. 284. ~~Any~~ A person who ~~has been~~ IS certified by the
 8 state central committee of ~~any~~ A party as nominated for member-
 9 ship on the state board of education, the board of regents of the
 10 ~~University~~ UNIVERSITY of Michigan, the board of trustees of
 11 Michigan ~~State University~~ STATE UNIVERSITY, or the board of
 12 governors of Wayne ~~State University~~ STATE UNIVERSITY may with-
 13 draw by filing a written notice of withdrawal with the secretary
 14 of state or his OR HER duly authorized agent and a copy with the
 15 ~~chairman~~ CHAIRPERSON and the secretary of the state central
 16 committee of ~~said~~ THE party not later than 4 p.m., eastern
 17 standard time, of the ~~thirty-third day preceding the election~~
 18 THIRD DAY FOLLOWING THE CONVENTION AT WHICH THE PERSON WAS
 19 NOMINATED.

20 Sec. 322. To obtain the printing of the name of a candidate
 21 of a political party for a city office, including ~~all~~ A ward
 22 ~~offices~~ OFFICE, under the particular party heading on the offi-
 23 cial primary election ballots for use in the city, there shall be
 24 filed with the city clerk of the city not later than 4 p.m. ~~—~~
 25 on the ~~ninth~~ TWELFTH Tuesday preceding the August primary, or
 26 not later than 4 p.m. ~~—~~ on the seventh Monday preceding the
 27 primary election provided to be held on the third Monday in

1 February, nominating petitions signed by a number of qualified
 2 and registered electors of the political party who reside in the
 3 city or ward, equal to not less than 1% nor more than 4% of the
 4 number of votes that the political party cast in the city or ward
 5 for secretary of state at the last ~~preceding~~ GENERAL November
 6 election in which a secretary of state was elected. This section
 7 ~~shall~~ DOES not apply to ~~any~~ A city the charter of which pro-
 8 vides for a different method of nominating candidates for public
 9 office. The form of the petition shall be as provided in section
 10 544c.

11 Sec. 325. ~~Whenever~~ IF a vacancy ~~shall occur~~ OCCURS in
 12 the office of a judge of ~~any~~ A municipal court of record, the
 13 governor shall appoint ~~some~~ A qualified person to fill ~~such~~
 14 THE vacancy and the person so appointed shall hold ~~such~~ THE
 15 office until 12 noon of January 1 next succeeding the general
 16 election at which a successor is elected and qualified. At the
 17 next fall primary or municipal primary election held at least
 18 ~~70~~ 91 days after ~~such~~ THE vacancy ~~shall occur~~ OCCURS, can-
 19 didates shall be nominated to fill the vacancy in the same manner
 20 as candidates are ~~now~~ nominated for the office. The
 21 ~~vacancies~~ VACANCY shall be filled at the election next follow-
 22 ing the primary in the manner provided for the election of judges
 23 of the municipal court of record. The person elected shall hold
 24 ~~such~~ THE office for the remainder of the unexpired term.

25 Sec. 349. To obtain the printing of the name of a person as
 26 a candidate for nomination by a political party for a township
 27 office under the particular party heading upon the official

1 primary ballots, there shall be filed with the township clerk
2 nominating petitions signed by a number of qualified and regis-
3 tered electors residing within the township ~~—~~ equal to not less
4 than 1% ~~—nor—~~ OR more than 4% of the number of votes cast by the
5 party in the township for secretary of state at the last general
6 NOVEMBER election in which a secretary of state was elected, but
7 in no case less than 5 signatures. Nominating petitions shall be
8 in the form prescribed in section 544c. The township clerk shall
9 receive nominating petitions up to 4 p.m. ~~—~~ of the ~~ninth~~
10 TWELFTH Tuesday preceding the August primary.

11 Within 4 days after the last day for filing nominating peti-
12 tions, the township clerk shall deliver to the county clerk a
13 list setting forth the ~~names~~ NAME, ~~addresses~~ ADDRESS, and
14 political affiliation and office sought of ~~all candidates who~~
15 ~~have~~ EACH CANDIDATE WHO HAS qualified for a position on the pri-
16 mary ballot.

17 Sec. 358. (1) In every township there shall be a general
18 November election in each even-numbered year for the election of
19 officers and the submission of propositions, as provided by law.
20 At the 1980 general NOVEMBER election there shall be elected by
21 ballot ~~the following township officers: A~~ A supervisor; a
22 clerk; a treasurer; 2 trustees; not more than 4 constables; and,
23 if authorized by law and after a township takes the actions pro-
24 vided in section 11 of Act No. 164 of the Public Acts of 1877, as
25 amended, being section 397.211 of the Michigan Compiled Laws, 6
26 free public library directors; and, after a township takes the
27 actions provided in section 1 of Act No. 271 of the Public Acts

1 of 1931, as amended, being section 41.441 of the Michigan
2 Compiled Laws, 6 park commission members. Except as otherwise
3 provided in this subsection, the order of offices on the township
4 portion of the ballots shall be the same as the order in which
5 the officers are listed in this subsection. Free public library
6 directors shall be listed on the nonpartisan portion of the
7 ballot.

8 (2) Subject to the limitation in subsection (1), the number
9 of constables to be elected at the 1992 general NOVEMBER election
10 and each general NOVEMBER election at which township offices are
11 regularly to be elected ~~thereafter~~ AFTER 1992 shall be deter-
12 mined by the township board by resolution not less than 6 months
13 before the township primary election preceding the general
14 election. The resolution that specifies the number of constables
15 to be elected applies in that township until a subsequent resolu-
16 tion is adopted altering that number. If a determination as to
17 the number of constables to be elected is not made by the town-
18 ship board by the deadline under this subsection for the 1992
19 general election, the number of constables to be elected shall be
20 the same number that ~~are to be~~ WAS elected in that township in
21 the 1988 general NOVEMBER election until a resolution is adopted
22 to provide for the election of a different number of constables.

23 (3) In a township having a population of 5,000 or more, or
24 having 3,000 or more qualified and registered electors as shown
25 by the registration records at the close of registration for the
26 last preceding GENERAL November election, there may be elected
27 ~~in that township~~ 4 trustees. In other townships there shall be

1 2 trustees. A township shall not elect 4 trustees unless the
2 election of additional trustees is approved by the voters at a
3 general election or by a majority of the voters attending at an
4 annual meeting. The township board of a township having a popu-
5 lation of 5,000 or more, or having 3,000 or more qualified and
6 registered electors, shall cause the question of electing addi-
7 tional trustees to be voted on at the first general NOVEMBER
8 election or annual meeting following the township's qualifying
9 for additional trustees. If a majority of the electors voting on
10 the question vote in favor of electing 4 trustees, the township
11 shall thereafter elect 4 trustees. If a majority of the electors
12 voting on the question do not vote in favor of electing 4 trust-
13 ees, the township board may resubmit the question at a subsequent
14 general NOVEMBER election or annual meeting or the question shall
15 be submitted at the first general NOVEMBER election or annual
16 meeting held not less than ~~49~~ 84 days following the submission
17 of a petition containing the signatures of not less than 10% of
18 the registered and qualified electors of the township, as shown
19 by the registration records at the close of registration for the
20 last ~~preceding~~ GENERAL November election, asking that the ques-
21 tion be submitted.

22 (4) At the first general NOVEMBER election in a township
23 held not less than 4 months after the provisions of this section
24 relative to additional trustees are adopted by a township, there
25 shall be elected the number of trustees necessary to make a total
26 of 4 trustees. If the additional trustees are elected at a
27 general NOVEMBER election ~~which~~ THAT is not a regular township

1 election, the additional trustees shall hold office only until a
2 successor is elected at the next regular township election and
3 qualifies for office.

4 (5) This section does not prohibit townships ~~now~~ electing
5 4 trustees AS OF SEPTEMBER 13, 1958 from continuing to do so.

6 Sec. 370a. Notwithstanding the provisions of section 370,
7 ~~when~~ IF a vacancy occurs in ~~any~~ AN elective or appointive
8 township office, ~~and it~~ WHICH VACANCY is filled by appointment
9 by the township board and the next general NOVEMBER election is
10 to be held more than ~~+50-~~ 182 days after the vacancy occurs,
11 ~~and it~~ WHICH ELECTION is not the general NOVEMBER election at
12 which a successor in office would be elected if ~~there had been~~
13 no vacancy, THEN the person appointed shall hold office only
14 until a successor is elected at ~~such~~ THE NEXT general NOVEMBER
15 election ~~, held more than 150 days after the vacancy occurs,~~ in
16 the manner provided by law and qualifies for office. ~~Such~~ THE
17 successor shall hold the office for the remainder of the unex-
18 pired term.

19 Sec. 409b. (1) To obtain the printing of the name of a
20 qualified person other than an incumbent ~~elected~~ judge of the
21 court of appeals as a candidate for nomination for the office of
22 judge of the court of appeals upon the official nonpartisan pri-
23 mary ballots, there shall be filed with the secretary of state
24 nominating petitions containing the signatures, addresses, and
25 dates of signing of a number of qualified and registered electors
26 residing in the appellate court district ~~—~~ equal to not less
27 than 1/2 of 1% ~~nor~~ OR more than 2% of the total number of votes

1 cast in that appellate court district for secretary of state at
2 the last ~~preceding~~ general November election in which a secre-
3 tary of state was elected. ~~All the~~ THE provisions of sections
4 544a and 544b ~~shall be applicable~~ APPLY. The secretary of
5 state shall receive nominating petitions up to 4 p.m. on the
6 ~~ninth~~ TWELFTH Tuesday preceding the primary.

7 (2) Nominating petitions filed under this section ~~shall be~~
8 ARE valid only if they clearly indicate for which of the follow-
9 ing offices the candidate is filing:

10 (a) An unspecified existing judgeship for which the incum-
11 bent judge is seeking election.

12 (b) An unspecified existing judgeship for which the incum-
13 bent judge is not seeking election.

14 (c) A new judgeship.

15 (3) Nominating petitions specifying a new or existing court
16 of appeals judgeship may not be used to qualify a candidate for
17 another judicial office of the same court in the same judicial
18 district. A person who files for election to more than 1 court
19 of appeals judgeship shall have not more than 3 days following
20 the close of filing to withdraw from all but 1 filing.

21 (4) An incumbent judge of the court of appeals may become a
22 candidate in the primary election for the office of which he or
23 she is the incumbent by filing with the secretary of state an
24 affidavit of candidacy not less than 120 days before the date of
25 the primary election. The affidavit of candidacy shall contain
26 statements that the affiant is an incumbent judge of the court of
27 appeals, ~~that the affiant~~ is domiciled within the district,

1 ~~and that the affiant~~ will not attain the age of 70 by the date
2 of election, and ~~a declaration that the affiant~~ is a candidate
3 for election to the office of judge of the court of appeals.

4 (5) In the primary and general NOVEMBER election for 2 or
5 more judgeships of the court of appeals in a judicial district,
6 each of the following categories of candidates shall be listed
7 separately on the ballot:

8 (a) The names of candidates for the judgeship or judgeships
9 for which the incumbent is seeking election.

10 (b) The names of candidates for the judgeship or judgeships
11 for which the incumbent is not seeking election.

12 (c) The names of candidates for a newly created judgeship or
13 judgeships.

14 Sec. 4091. ~~When~~ IF a vacancy occurs in the office of
15 judge of the court of appeals, the governor shall appoint a suc-
16 cessor to fill the vacancy. The person appointed by the governor
17 shall be considered an incumbent for purposes of this act and
18 shall hold office until 12 noon of January 1 following the next
19 general NOVEMBER election at which a successor is elected and
20 qualified. Candidates shall be nominated at the next fall pri-
21 mary held at least ~~70~~ 91 days after ~~such~~ THE vacancy occurs,
22 to fill the vacancy in the manner provided in this chapter for
23 the nomination of candidates for judge of the court of appeals.
24 The vacancy shall be filled at the general NOVEMBER election next
25 following the primary in the manner provided in this chapter for
26 the election of judges of the court of appeals. The person

1 elected shall hold such office for the remainder of the unexpired
2 term.

3 Sec. 413. To obtain the printing of the name of a person as
4 a candidate for nomination for the office of judge of the circuit
5 court upon the official nonpartisan primary ballots, there shall
6 be filed with the secretary of state nominating petitions con-
7 taining the signatures, addresses, and dates of signing of a
8 number of qualified and registered electors residing in the judi-
9 cial circuit, equal to not less than 1% ~~nor~~ OR more than 4% of
10 the total number of votes cast in that judicial district for sec-
11 retary of state at the last ~~preceding~~ general November election
12 in which a secretary of state was elected or by the filing of an
13 affidavit according to section 413a. In ~~counties which now have~~
14 ~~or may have~~ A COUNTY HAVING 1,000,000 inhabitants or more, the
15 petitions shall contain not less than 5,000 and not more than
16 20,000 signatures. The secretary of state shall receive the nom-
17 inating petitions up to 4 p.m. ~~of the ninth~~ TWELFTH
18 Tuesday preceding the primary. ~~All the~~ THE provisions of
19 ~~section 544a of the act shall be applicable~~ SECTIONS 544A AND
20 544B APPLY.

21 Sec. 424. ~~Whenever~~ IF a vacancy ~~shall occur~~ OCCURS in
22 the office of circuit judge, the governor shall appoint a succes-
23 sor to fill the vacancy. The person appointed by the governor
24 shall be considered an incumbent for purposes of this act and
25 shall hold office until 12 noon of January 1 following the next
26 general NOVEMBER election at which a successor is elected and
27 qualified. At the next fall primary election held at least ~~70~~

1 91 days after ~~such~~ THE vacancy ~~shall occur~~ OCCURS, candidates
2 shall be nominated to fill the vacancy in the manner provided in
3 this chapter for the nomination of candidates for circuit judge.
4 The vacancy shall be filled at the GENERAL NOVEMBER election next
5 following the primary in the manner provided in this chapter for
6 the election of circuit judges. The person elected shall hold
7 ~~such~~ office for the remainder of the unexpired term.

8 Sec. 426d. (1) To obtain the printing of the name of a
9 person on the ballot as a candidate for the office of judge of
10 the municipal court of record, there shall be filed with the city
11 clerk nominating petitions containing the signatures, addresses,
12 and dates of signing of a number of qualified and registered
13 electors residing in that city equal to not less than 1/2 of 1%
14 ~~nor~~ OR more than 2% of the votes cast in that municipality for
15 secretary of state at the last ~~preceding~~ GENERAL November elec-
16 tion in which a secretary of state was elected. The city clerk
17 shall receive nominating petitions up to 4 p.m. of the ~~ninth~~
18 TWELFTH Tuesday preceding the August primary. ~~All the~~ THE pro-
19 visions of sections 544a and 544b ~~shall be applicable~~ APPLY.

20 (2) An incumbent judge of the municipal court of record may
21 become a candidate in the primary election for the office of
22 which the judge is the incumbent by filing, with the city clerk,
23 an affidavit of candidacy not less than 120 days before the date
24 of the primary election. The affidavit of candidacy shall con-
25 tain statements that the affiant is an incumbent judge of the
26 municipal court of record, ~~that the affiant~~ is domiciled within
27 the city, ~~and that the affiant~~ will not attain the age of 70 by

1 the date of election, and ~~a declaration that the affiant~~ is a
2 candidate for election to the office of judge of the municipal
3 court of record.

4 (3) Nominating petitions filed under this section ~~shall be~~
5 ARE valid only if they clearly indicate for which of the follow-
6 ing offices the candidate is filing:

7 (a) An unspecified existing judgeship for which the incum-
8 bent judge is seeking election.

9 (b) An unspecified existing judgeship for which the incum-
10 bent judge is not seeking election.

11 (c) A new judgeship.

12 (4) A person who files for election to more than 1 municipal
13 court of record judgeship shall have not more than 3 days follow-
14 ing the close of filing to withdraw from all but 1 filing.

15 Sec. 433. (1) To obtain the printing of the name of a
16 person as a candidate for nomination for the office of judge of
17 probate upon the official nonpartisan primary ballots, there
18 shall be filed with the county clerk of each county ~~—~~ nominat-
19 ing petitions containing the signatures, addresses, and dates of
20 signing of a number of qualified and registered electors residing
21 in the county, equal to not less than 1% ~~—nor—~~ OR more than 4% of
22 the total number of votes cast in that county for secretary of
23 state at the last ~~preceding~~ general November election in which
24 a secretary of state was elected or by the filing of an affidavit
25 according to section 433a. In counties having a population of
26 1,500,000 or more, the petition shall contain not less than 5,000
27 and not more than 20,000 signatures. The county clerk shall

1 receive nominating petitions up to 4 p.m. on the ~~ninth~~ TWELFTH
2 Tuesday preceding the August primary. ~~All the~~ THE provisions
3 of sections 544a and 544b ~~shall be applicable~~ APPLY.

4 (2) Nominating petitions filed under this section ~~shall be~~
5 ARE valid only if they clearly indicate for which of the follow-
6 ing offices the candidate is filing:

7 (a) An unspecified existing judgeship for which the incum-
8 bent judge is seeking election.

9 (b) An unspecified existing judgeship for which the incum-
10 bent judge is not seeking election.

11 (c) A new judgeship.

12 (3) A person who files for election to more than 1 probate
13 judgeship shall have not more than 3 days following the close of
14 filing to withdraw from all but 1 filing.

15 Sec. 444. ~~Whenever~~ IF a vacancy ~~shall occur~~ OCCURS in
16 the office of judge of probate, the governor shall appoint a suc-
17 cessor to fill the vacancy. The person appointed by the governor
18 shall be considered an incumbent for purposes of this act and
19 shall hold office until 12 noon of January 1 following the next
20 general NOVEMBER election at which a successor is elected and
21 qualified. At the next ~~general~~ primary election held at least
22 ~~70~~ 91 days after ~~such~~ THE vacancy ~~shall occur~~ OCCURS, can-
23 didates shall be nominated to fill the vacancy in the manner pro-
24 vided in this chapter for the nomination of candidates for judge
25 of probate. The vacancies shall be filled at the general
26 NOVEMBER election next following the primary in the manner
27 provided in this chapter for the election of judges of probate.

1 The person elected shall hold ~~such~~ office for the remainder of
2 the unexpired term.

3 Sec. 467b. (1) To obtain the printing of the name of a
4 person as a candidate for nomination for the office of judge of
5 the district court upon the official nonpartisan primary ballots,
6 there shall be filed with the secretary of state nominating peti-
7 tions containing the signatures, addresses, and dates of signing
8 of a number of qualified and registered electors residing in the
9 judicial district or division, equal to not less than ~~1/2% nor~~
10 ~~1/2 OF 1% OR~~ more than 2% of the total number of votes cast in
11 that judicial district or division for secretary of state at the
12 last preceding general November election in which a secretary of
13 state was elected. ~~Elected~~ AN incumbent district court
14 ~~judges~~ JUDGE may also become ~~candidates~~ A CANDIDATE by the
15 filing of an affidavit in lieu of petitions according to section
16 467c. The secretary of state shall receive nominating petitions
17 up to 4 p.m. on the ~~ninth~~ TWELFTH Tuesday preceding the
18 primary. ~~All the~~ THE provisions of sections 544a and 544b
19 ~~shall be applicable~~ APPLY.

20 (2) Nominating petitions filed under this section ~~shall be~~
21 ARE valid only if they clearly indicate for which of the follow-
22 ing offices the candidate is filing:

23 (a) An unspecified existing judgeship for which the incum-
24 bent judge is seeking election.

25 (b) An unspecified existing judgeship for which the incum-
26 bent judge is not seeking election.

1 (c) A new judgeship.

2 (3) A person who files for election to more than 1 district
3 judgeship shall have not more than 3 days following the close of
4 filing to withdraw from all but 1 filing.

5 Sec. 467m. ~~Whenever~~ IF a vacancy ~~shall occur~~ OCCURS in
6 the office of district judge, the governor shall appoint a suc-
7 cessor to fill the vacancy. The person appointed by the governor
8 shall be considered an incumbent for purposes of this act and
9 shall hold office until 12 noon of January 1 following the next
10 general NOVEMBER election at which a successor is elected and
11 qualified. Candidates shall be nominated at the next fall pri-
12 mary held at least ~~70~~ 91 days after such vacancy occurs, to
13 fill the vacancy in the manner provided in this chapter for the
14 nomination of candidates for district court judge. The vacancy
15 shall be filled at the general NOVEMBER election next following
16 the primary in the manner provided in this chapter for the elec-
17 tion of district court judges.

18 Sec. 551. The secretary of state and the various county,
19 township, and city clerks shall receive nominating petitions or
20 filing fees filed in accordance with the provisions of this act
21 up to 4 p.m., eastern standard time, of the ~~seventh~~ TWELFTH
22 Tuesday preceding the August primary. The provisions of this
23 section ~~shall~~ DO not apply to ~~any~~ A city ~~which~~ THAT does
24 not nominate its officers under the provisions of this act.

25 Sec. 552. (1) The county or city clerk, after the last day
26 named in this act for receiving and filing nominating petitions,
27 shall immediately certify to the proper board or boards of

1 election commissioners in the city, county, district, or state
2 ~~7~~ the ~~names~~ NAME and post office ~~addresses~~ ADDRESS of ~~the~~
3 EACH party ~~candidates~~ CANDIDATE whose petitions meet the
4 requirements of this act, together with the name of the political
5 party and the office for which ~~they are~~ HE OR SHE IS a
6 candidate.

7 (2) If the county clerk receives a sworn complaint, in writ-
8 ing, questioning the validity of the registration or genuineness
9 of the signature of the circulator or of a person signing a peti-
10 tion filed with the county clerk for an office, the county clerk
11 shall commence an investigation and shall cause the petition
12 ~~which~~ THAT he or she considers necessary to be forwarded to the
13 proper city clerk or township clerk to compare the signatures
14 appearing on the petition with the signatures appearing on the
15 registration record, or in some other proper manner determine
16 whether the signatures appearing on the petition are valid and
17 genuine. If the request has been made by the county clerk, the
18 city clerk or township clerk shall complete the investigation and
19 report his or her findings to the county clerk within 7 days
20 after the request. The investigation shall include the validity
21 of the signatures and the genuineness of a petition as is speci-
22 fied in the sworn complaint and may include any other doubtful
23 signatures or petitions filed on behalf of the candidate against
24 whose petitions the sworn complaint is directed, as the county
25 clerk ~~may consider~~ CONSIDERS necessary. A complaint respecting
26 the validity and genuineness of signatures on a petition shall
27 not be acted upon unless the complaint sets forth the specific

1 signatures claimed to be invalid and the specific petition for
2 which the complaint questions the validity and genuineness of the
3 signature or registration of the circulator, and unless the com-
4 plaint is received by the county clerk within 7 days after the
5 statutory date for the filing of the nominating petitions.

6 (3) In addition to the duty specified in subsection (2) for
7 the examination of petitions, the county clerk, on his or her own
8 initiative, on receipt of the nominating petitions, may examine
9 the petitions, and if after examination the county clerk is in
10 doubt as to the validity of the registration or genuineness of
11 the signature of the circulator or persons signing or purporting
12 to sign the petitions, the county clerk shall commence an inves-
13 tigation and shall cause the petitions in question to be for-
14 warded to the proper city clerk or township clerk to compare the
15 signatures appearing on the petitions with the signatures appear-
16 ing on the registration records, or in some other proper manner
17 to determine whether the signatures appearing on the petitions
18 are valid and genuine.

19 (4) The clerk of a political subdivision shall cooperate
20 fully with the county clerk in a request made to the clerk by the
21 county clerk in determining the validity of doubtful signatures
22 by checking the signatures against registration records ~~—, and~~
23 ~~the clerk shall do the requested checking~~ in an expeditious and
24 proper manner.

25 (5) Upon the completion of the investigation or examination,
26 the county clerk shall immediately make an official declaration
27 of the sufficiency or insufficiency of nominating petitions for

1 which a sworn complaint has been received or of the sufficiency
2 or insufficiency of nominating petitions ~~which~~ THAT the county
3 clerk has examined or investigated on his or her own initiative.
4 A person feeling aggrieved by a determination made by the county
5 clerk ~~—~~ may have the determination reviewed by the secretary of
6 state, if written request is filed with the secretary of state
7 within 3 days after the official declaration of the county clerk,
8 unless the third day falls on a Saturday, Sunday, or legal holi-
9 day, in which case appeal may be filed not later than 4 p.m. on
10 the next ~~secular~~ day THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL
11 HOLIDAY, or may have the determination of the county clerk
12 reviewed by filing a mandamus, certiorari, or other appropriate
13 remedy in the circuit court. A person having filed a nominating
14 petition, feeling aggrieved by the determination of the secretary
15 of state, may then have that determination reviewed by mandamus,
16 certiorari, or other appropriate remedy in the circuit court.

17 (6) A city clerk with whom nominating petitions are filed
18 may examine the petitions and investigate ~~as to~~ the validity
19 and genuineness of signatures appearing on the petitions by
20 checking the signatures against registration records. The city
21 clerk shall make a determination as to the sufficiency or insuf-
22 ficiency of the petitions upon the completion of the examination
23 or investigation, and shall make an official declaration of the
24 findings. A party feeling aggrieved by the determination ~~shall~~
25 ~~have~~ HAS the same rights of review as in case of a determination
26 by the county clerk.

1 (7) Upon the filing of nomination petitions with the
2 secretary of state, the secretary of state shall notify the board
3 of state canvassers within 5 days after the last day for the
4 filing of the petitions. The notification shall be by first
5 class mail. Upon the receipt of the nomination petitions, the
6 board of state canvassers shall canvass the petitions to ascer-
7 tain if the petitions have been signed by the requisite number of
8 qualified and registered electors ~~—~~ and, for the purpose of
9 determining the validity of the signatures, may cause a doubtful
10 signature to be checked against the registration records by the
11 clerk of a political subdivision in which the petitions were
12 circulated. ~~for properly determining the authenticity of the~~
13 ~~signatures.~~ IF THE BOARD OF STATE CANVASSERS RECEIVES A SWORN
14 COMPLAINT, IN WRITING, QUESTIONING THE VALIDITY OF THE REGISTRA-
15 TION OR GENUINENESS OF THE SIGNATURE OF THE CIRCULATOR OR OF A
16 PERSON SIGNING A NOMINATING PETITION FILED WITH THE SECRETARY OF
17 STATE, THE BOARD OF STATE CANVASSERS SHALL COMMENCE AN INVESTIGA-
18 TION AND SHALL CAUSE THE PETITION TO BE FORWARDED TO THE PROPER
19 CITY CLERK OR TOWNSHIP CLERK TO COMPARE THE SIGNATURES APPEARING
20 ON THE PETITION WITH THE SIGNATURES APPEARING ON THE REGISTRATION
21 RECORD, OR IN SOME OTHER MANNER DETERMINE WHETHER THE SIGNATURES
22 APPEARING ON THE PETITION ARE VALID AND GENUINE. A COMPLAINT
23 RESPECTING THE VALIDITY AND GENUINENESS OF SIGNATURES ON A PETI-
24 TION SHALL NOT BE ACTED UPON UNLESS THE COMPLAINT SETS FORTH THE
25 SPECIFIC SIGNATURES CLAIMED TO BE INVALID AND THE SPECIFIC PETI-
26 TION FOR WHICH THE COMPLAINT QUESTIONS THE VALIDITY AND
27 GENUINENESS OF THE SIGNATURE OR REGISTRATION OF THE CIRCULATOR,

1 AND UNLESS THE COMPLAINT IS RECEIVED BY THE BOARD OF STATE
2 CANVASSERS WITHIN 7 DAYS AFTER THE STATUTORY DATE FOR THE FILING
3 OF THE NOMINATING PETITIONS. The clerk of a political subdivision
4 shall cooperate fully with the board of state canvassers in a
5 request made to the clerk by the board of state canvassers in
6 determining the validity of doubtful signatures by rechecking the
7 signatures against registration records ~~, and the clerk shall~~
8 ~~make the requested rechecks~~ in an expeditious and proper
9 manner.

10 (8) The board of state canvassers may hold a hearing upon a
11 complaint filed or for a purpose considered necessary by the
12 board of state canvassers to conduct an investigation of the
13 petitions. In conducting a hearing, the board of state canvass-
14 ers may issue subpoenas and administer oaths. The board of state
15 canvassers may also adjourn periodically awaiting receipt of
16 returns from investigations that are being made or for other nec-
17 essary purposes, but shall complete the canvass not less than ~~5~~
18 9 weeks before the primary election at which candidates are to be
19 nominated.

20 (9) An official declaration of the sufficiency or insuffi-
21 ciency of a nomination petition shall be made by the board of
22 state canvassers not less than ~~5~~ 9 weeks before the primary
23 election at which candidates are to be nominated. At the time of
24 filing a nomination petition with the secretary of state, the
25 person filing the petition may request a notice of the approval
26 or rejection of the petition. If such a request is made at the
27 time of filing of the petition, the secretary of state,

1 immediately upon the determination of approval or rejection,
2 shall transmit by registered mail to the person making the
3 request an official notice of the sufficiency or insufficiency of
4 the petitions.

5 (10) A person, having filed a nomination petition with the
6 secretary of state, feeling aggrieved by a determination made by
7 the board of state canvassers, may have the determination
8 reviewed by mandamus, certiorari, or other appropriate remedy in
9 the supreme court.

10 (11) Not less than ~~5~~ 9 weeks before the primary election
11 at which candidates are to be nominated, the secretary of state
12 shall certify to the proper boards of election commissioners in
13 the various counties in the state, the ~~names~~ NAME and post
14 office ~~addresses~~ ADDRESS of ~~the~~ EACH partisan or nonpartisan
15 ~~candidates~~ CANDIDATE whose petitions have been filed with the
16 secretary of state and meet the requirements of this act,
17 together with the name of the political party, if any, and the
18 office for which ~~they are candidates~~ HE OR SHE IS A CANDIDATE.

19 Sec. 624. (1) A person holding a public office in this
20 state or a municipal subdivision of this state may become a can-
21 didate for delegate to the county or district conventions.

22 (2) ~~All candidates~~ A CANDIDATE for delegate to the county
23 or district conventions of ~~each~~ A political party shall be A
24 qualified, registered ~~electors~~ ELECTOR residing within, as well
25 as having ~~their~~ HIS OR HER actual bona fide residence within,
26 the election precinct for which ~~they desire~~ HE OR SHE DESIRES
27 to become a candidate. A candidate shall file a petition with

1 the county clerk of the county not later than 4 p.m. on the
2 ~~seventieth~~ NINETY-FIRST day preceding the time designated for
3 holding a primary election in the county, bearing the signatures
4 of not less than 3 and not more than 20 registered electors
5 residing within the precinct for which the petitioner desires to
6 become a candidate. The petition shall be in the form required
7 by the general laws of the state governing the filing of nominat-
8 ing petitions by candidates for other county offices at primary
9 elections, and in addition shall state the candidate's place of
10 residence and bear a signed certificate of the candidate autho-
11 rizing its filing. All duly elected and certified delegates
12 shall be seated at the county or district county conventions. A
13 person violating this section is guilty of a misdemeanor.

14 (3) If the county clerk receives a sworn complaint, in writ-
15 ing, questioning the validity of the registration or genuineness
16 of the signature of the circulator or of a person signing the
17 petition, the county clerk shall forward the petition or peti-
18 tions to the proper city clerk or township clerk. The city clerk
19 or township clerk shall compare the signatures appearing on the
20 petition with the signatures appearing on the registration record
21 ~~or~~ or in some other proper manner determine whether the signa-
22 tures appearing on the petition are valid and genuine. If a
23 request is made by the county clerk, the city clerk or township
24 clerk shall complete the investigation and report his or her
25 findings to the county clerk within 7 days after the request.
26 Complaints respecting the validity or genuineness of signatures
27 on the petitions shall not be acted upon unless received by the

1 county clerk by the ~~sixty-third~~ EIGHTY-FOURTH day preceding the
2 primary election.

3 (4) If a written complaint is made to the county clerk with
4 respect to the registration or bona fide residence, or both, of a
5 candidate, the county clerk shall check with the township or city
6 clerk of the township or city in which the candidate is regis-
7 tered or residing, or both. The township or city clerk shall
8 report back to the county clerk within 48 hours as to the regis-
9 tration or bona fide residence, or both, of the candidate. If
10 the township or city clerk's report shows that the candidate is
11 not a registered elector or a bona fide resident ~~, or both,~~ of
12 the election precinct of the township or city for which the peti-
13 tion shows the candidate is a resident, the county clerk shall
14 remove the name of the candidate from the ballot. A complaint
15 received by the county clerk after the ballots have been released
16 for printing and before the primary election shall not be acted
17 upon.

18 Sec. 644f. (1) Except as provided in section 644e, nomi-
19 nating petitions for offices to be filled at the odd year general
20 election shall be filed by 4 p.m. on the ~~seventh~~ TWELFTH
21 Tuesday prior to the odd year primary election. The place of
22 filing and the number of signatures shall be the same as is now
23 required by law for such offices.

24 (2) If no nonpartisan petition requirement is ~~now~~ con-
25 tained in law or charter, the minimum number of signatures shall
26 be 1/2 of 1% of the vote for secretary of state in the election

1 district at the last election at which a secretary of state was
2 elected, but in no case less than 10 signatures.

3 (3) If, upon the expiration of the time for filing nonparti-
4 san petitions, not more than twice the number of candidates as
5 there are persons to be elected to that office have filed, THE
6 primary for that office shall not be held and those persons
7 filing valid petitions shall be declared the nominees for the
8 offices, unless a city charter provides otherwise for city
9 offices.

10 Sec. 646a. (1) If ~~any~~ A local officer is to be elected at
11 ~~any~~ A general November election or on the first Monday of April
12 in ~~any~~ AN odd numbered year, candidates for ~~such~~ THE local
13 office shall be nominated in the manner provided by law or
14 charter. If ~~such~~ THE candidates are to be nominated at a fall
15 primary election, the primary shall be held on the same day as is
16 provided by law for holding the county or state primary election
17 prior to such election, except as provided in section 646b. If
18 ~~such~~ THE candidates are to be elected in April, the primary
19 shall be held on the third Monday in February. If candidates for
20 ~~such~~ THE local office are to be nominated at caucuses, the cau-
21 cuses shall be held on a date prior to the date set for the above
22 mentioned primary election or on the Saturday preceding the day
23 of the primary election as determined by the local legislative
24 body at least 20 days preceding the date of the caucus. If can-
25 didates are nominated by filing petitions or affidavits, they
26 shall be filed at a time provided by charter but ~~in no case~~ NOT
27 later than the date of the primary. If a local primary election

1 is to be held on the same day as any state or county primary
2 election, ~~or on a date established by a governing body pursuant~~
3 ~~to authority granted in section 646b of this act,~~ the last day
4 for local candidates to file nominating petitions shall be the
5 same as the last date to file petitions for state and county
6 offices. The names of all local candidates and titles of office
7 shall be certified to the county clerk by the local clerk within
8 5 days after the last day for filing petitions, and certification
9 of nominees shall be made to such clerk within 5 days after the
10 date on which the primary or caucus was held.

11 (2) If any local or county questions are to be voted on at
12 any primary, special or general election at which state officers
13 are to be voted for, the ballot wording of the question shall be
14 certified to the local or county clerk at least ~~49~~ 70 days
15 prior to such election. If ~~such~~ THE wording is certified to a
16 clerk other than the county clerk, ~~such~~ THE clerk shall certify
17 ~~such~~ THE ballot wording to the county clerk at least ~~47~~ 68
18 days prior to ~~such~~ THE election. Petitions to place any county
19 or local questions on the ballot at ~~any such~~ THE election shall
20 be filed with the clerk at least 14 days ~~prior to~~ BEFORE the
21 date the ballot wording must be certified to the local clerk.

22 (3) The provisions of this section ~~shall~~ apply notwith-
23 standing any provisions of law or charter to the contrary, unless
24 an earlier date for the filing of affidavits or petitions,
25 including nominating petitions, is provided in any law or
26 charter, in which case the earlier filing date ~~shall be~~ IS
27 controlling.

1 Sec. 713. The county board of election commissioners shall
2 cause the ballots required for any regular or special election or
3 official primary election in ~~such~~ THE county, wrapped and tied
4 as ~~herein~~ required BY THIS ACT, to be delivered to the county
5 clerk at the earliest possible time after the approval of the
6 proof ~~thereof~~ OF THE BALLOTS, and absent voter ballots shall be
7 delivered to the county clerk at least ~~45~~ 47 days before the
8 general November election AND THE PRECEDING AUGUST PRIMARY and at
9 least 22 days before any other election or primary election. All
10 other ballots and election supplies shall be delivered to the
11 county clerk at least 12 days before any election or primary
12 election.

13 Sec. 714. (1) The county clerk of each county, at the ear-
14 liest possible time and at least ~~42~~ 45 days before the general
15 November election AND THE PRECEDING AUGUST PRIMARY, and ~~except~~
16 ~~as provided in subsections (2) and (3),~~ at least 20 days before
17 any other election or primary election in the county, shall cause
18 to be delivered to the clerk of each township and city in the
19 county ~~the~~ the absent voter ballots for each precinct.

20 ~~(2) The county clerk of a county in which is located a city~~
21 ~~which is holding a special election pursuant to section 640 shall~~
22 ~~cause the absent voter ballots to be delivered to the clerk of~~
23 ~~the city not later than 13 days before the special election.~~

24 ~~(3) The county clerk of a county in which is located a~~
25 ~~school district which is holding a school millage election pursu-~~
26 ~~ant to section 36 of Act No. 286 of the Public Acts of 1893, as~~
27 ~~amended, being section 211.36 of the Michigan Compiled Laws shall~~

1 ~~cause the absent voter ballots to be delivered to the clerk of~~
2 ~~each township and city in the school district not later than 10~~
3 ~~days before the election.~~

4 (2) ~~-(4)-~~ The county clerk of each county shall cause to be
5 delivered ballots, other than absent voter ballots, and election
6 supplies to the clerk of each township and city in the county at
7 least 10 days before any election or primary election.

8 (3) ~~-(5)-~~ The county clerk shall take receipt from each
9 township and city clerk for all ballots and supplies delivered to
10 ~~them~~ THAT CLERK.

11 Section 2. Sections 604 and 646c of Act No. 116 of the
12 Public Acts of 1954, being sections 168.604 and 168.646c of the
13 Michigan Compiled Laws, are repealed.