

SUBSTITUTE FOR
HOUSE BILL NO. 4589

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 644f (MCL 168.644f), as amended by 2012 PA 276.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 644f. (1) ~~Until December 31, 2013, and except as provided~~
2 ~~in section 644e, nominating petitions for offices to be filled at~~
3 ~~the odd year general election shall be filed by 4 p.m. on the~~
4 ~~twelfth Tuesday before the odd year primary election. Beginning~~
5 ~~January 1, 2014, and except~~ **EXCEPT** as provided in **THIS SECTION AND**
6 section 644e, nominating petitions for offices to be filled at the
7 odd year general election shall be filed by 4 p.m. on the fifteenth
8 Tuesday before the odd year primary election. The place of filing
9 and the number of signatures shall be the same as is now required
10 by law for ~~such~~ **THOSE** offices.

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

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

10 (4) UNTIL DECEMBER 31, 2015, THE NOMINATING PETITION FILING
11 DEADLINE FOR CANDIDATES FOR CITY OFFICES MAY BE ADJUSTED AS
12 PROVIDED IN SUBSECTION (5) IF ALL OF THE FOLLOWING OCCUR:

13 (A) THE CITY CLERK PUBLISHES A NOMINATING PETITION FILING
14 DEADLINE THAT IS DIFFERENT THAN THE FIFTEENTH TUESDAY BEFORE THE
15 ODD YEAR PRIMARY ELECTION OR THE ODD YEAR GENERAL ELECTION AND THE
16 NOMINATING PETITION FILING DEADLINE PUBLISHED BY THE CITY CLERK IS
17 BETWEEN THE FIFTEENTH TUESDAY AND THE TWELFTH TUESDAY BEFORE THE
18 ODD YEAR PRIMARY ELECTION OR THE ODD YEAR GENERAL ELECTION.

19 (B) THE CITY CLERK DID NOT PUBLICLY CORRECT THE FILING
20 DEADLINE ERROR AT LEAST 2 WEEKS BEFORE THE FIFTEENTH TUESDAY BEFORE
21 THE ODD YEAR PRIMARY ELECTION OR THE ODD YEAR GENERAL ELECTION.

22 (C) ONE OR MORE CANDIDATES FOR CITY OFFICES IN THAT CITY
23 RELIED UPON THE INCORRECT NOMINATING PETITION FILING DEADLINE,
24 FAILED TO FILE NOMINATING PETITIONS BY THE FIFTEENTH TUESDAY BEFORE
25 THE ODD YEAR PRIMARY ELECTION OR THE ODD YEAR GENERAL ELECTION, AND
26 FILED NOMINATING PETITIONS BY THE FILING DEADLINE PUBLISHED BY THE
27 CITY CLERK THAT ARE DETERMINED BY THE CITY CLERK TO CONTAIN A

1 SUFFICIENT NUMBER OF VALID SIGNATURES.

2 (5) IF THE BUREAU OF ELECTIONS CONFIRMS THAT ALL OF THE
3 CONDITIONS SET FORTH IN SUBSECTION (4) ARE MET, THE BUREAU OF
4 ELECTIONS MAY AUTHORIZE THE CITY CLERK TO ADJUST THE NOMINATING
5 PETITION FILING DEADLINE FOR THAT ODD YEAR PRIMARY ELECTION OR THAT
6 ODD YEAR GENERAL ELECTION FROM THE FIFTEENTH TUESDAY BEFORE THE ODD
7 YEAR PRIMARY ELECTION OR THE ODD YEAR GENERAL ELECTION TO THE
8 INCORRECTLY PUBLISHED NOMINATING PETITION FILING DEADLINE.

9 (6) SUBJECT TO SUBSECTION (7), A CITY THAT FALLS UNDER
10 SUBSECTIONS (4) AND (5) IS SUBJECT TO ALL OF THE FOLLOWING:

11 (A) UNTIL DECEMBER 31, 2017, THE CITY CLERK OF THAT CITY SHALL
12 ATTEND AT LEAST ONCE ANNUALLY AN ELECTION TRAINING SCHOOL CONDUCTED
13 BY THE DIRECTOR OF ELECTIONS AS PROVIDED IN SECTION 33.

14 (B) UNTIL DECEMBER 31, 2017, THE CITY CLERK SHALL SUBMIT
15 NOMINATING PETITIONS TO THE COUNTY CLERK OF THE COUNTY IN WHICH THE
16 CITY IS LOCATED FOR FINAL APPROVAL AS TO FORM BEFORE BEING
17 CIRCULATED FOR SIGNATURES AND SHALL SUBMIT ANY ELECTION FILING
18 DEADLINE CALENDARS AND ANY CORRESPONDENCE RELATING TO THOSE
19 CALENDARS TO THE COUNTY CLERK OF THE COUNTY IN WHICH THE CITY IS
20 LOCATED BEFORE BEING PROVIDED TO THE PUBLIC.

21 (C) THE SECRETARY OF STATE SHALL CONDUCT A POSTELECTION AUDIT
22 AFTER EACH NOVEMBER ELECTION HELD IN THE CITY IN 2015, 2016, AND
23 2017.

24 (D) THE SECRETARY OF STATE SHALL CONDUCT AN ADMINISTRATIVE
25 AUDIT OF THE CITY CLERK'S ELECTIONS OPERATIONS AND SHALL REPORT THE
26 RESULTS OF THAT ADMINISTRATIVE AUDIT TO THE HOUSE AND SENATE
27 COMMITTEES DEALING WITH ELECTIONS NO LATER THAN OCTOBER 1, 2015.

1 (E) UNTIL DECEMBER 31, 2015, THE SECRETARY OF STATE SHALL
2 CONDUCT PREELECTION PRECINCT ELECTION INSPECTOR TRAINING FOR THOSE
3 ACTING AS PRECINCT ELECTION INSPECTORS AT ANY AUGUST OR NOVEMBER
4 ELECTION HELD IN THE CITY.

5 (F) NOTWITHSTANDING SECTION 683, BEGINNING JANUARY 1, 2016 AND
6 UNTIL DECEMBER 31, 2017, THOSE ACTING AS PRECINCT ELECTION
7 INSPECTORS AT ANY AUGUST OR NOVEMBER ELECTION HELD IN THE CITY
8 SHALL ATTEND A PREELECTION TRAINING SCHOOL FOR ELECTION INSPECTORS
9 CONDUCTED BY THE COUNTY CLERK OF THE COUNTY IN WHICH THE CITY IS
10 LOCATED.

11 (7) IF THE CITY CLERK WHO PUBLISHED A NOMINATING PETITION
12 FILING DEADLINE THAT IS DIFFERENT THAN THE FIFTEENTH TUESDAY BEFORE
13 THE ODD YEAR PRIMARY ELECTION OR ODD YEAR GENERAL ELECTION IS NO
14 LONGER THE CITY CLERK OF THAT CITY, THE REQUIREMENTS OF SUBSECTION
15 (6) (A), (B), (C), (E), AND (F) DO NOT APPLY.