

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5571**

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 32, 482, 482a, 482e, 483a, 488, 544c, 544d,
951a, 952, 952a, 957, and 961 (MCL 168.32, 168.482, 168.482a,
168.482e, 168.483a, 168.488, 168.544c, 168.544d, 168.951a, 168.952,
168.952a, 168.957, and 168.961), section 32 as amended by 2014 PA
79, sections 482 and 544d as amended and section 482a as added by
2018 PA 608, section 482e as added and section 544c as amended by
2018 PA 650, section 483a as added by 2012 PA 276, section 488 as
added by 1998 PA 142, sections 951a and 952 as amended by 2018 PA
190, section 952a as amended by 1993 PA 137, section 957 as amended
by 2018 PA 120, and section 961 as amended by 2012 PA 417, and by
adding sections 474 and 481a; and to repeal acts and parts of acts.



THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 32. (1) In the office of the secretary of state, the
2 bureau of elections created by former 1951 PA 65 continues under
3 the supervision of a director of elections, to be appointed by the
4 secretary of state under civil service regulations. The director of
5 elections ~~shall be~~ **is** vested with the powers and shall perform the
6 duties of the secretary of state under ~~his or her~~ **the secretary of**
7 **state's** supervision, with respect to the supervision and
8 administration of the election laws. The director of elections
9 ~~shall be~~ **is** a nonmember secretary of the ~~state~~ board of **state**
10 canvassers.

11 (2) The director of elections, with the approval of the ~~state~~
12 board of **state** canvassers, shall prepare a statement for
13 designation on the ballot in not more than 100 words, exclusive of
14 caption **and numerals**, of the purpose of any proposed amendment or
15 question to be submitted to the electors as required under section
16 9 of article II, section 34 of article IV if the legislature does
17 not provide for the content of the question to be submitted to the
18 electors, or section 1 or 2 of article XII of the state
19 constitution of 1963. The statement ~~shall~~ **must** consist of a true
20 and impartial statement of the purpose of the amendment or question
21 in such language as shall create no prejudice for or against the
22 proposed amendment or question. The powers and duties of the ~~state~~
23 board of **state** canvassers and the secretary of state with respect
24 to the preparation of the statement are transferred to the director
25 of elections. The secretary of state shall certify the statement of
26 the purpose of any proposed amendment or question to be submitted
27 to the electors not later than 60 days before the date of the
28 election.



1 Sec. 474. (1) A petition proposing a constitutional amendment,
2 an initiated law, or a referendum must include a summary of the
3 purpose of the proposed constitutional amendment, initiated law, or
4 referendum that complies with the requirements in subsection (2).

5 (2) The summary of the purpose of a proposed constitutional
6 amendment, initiated law, or referendum must meet all of the
7 following requirements:

8 (a) Be limited to not more than 100 words, exclusive of
9 numerals, and must consist of a true and impartial statement of the
10 purpose of the proposed constitutional amendment, initiated law, or
11 referendum in language that creates no prejudice for or against the
12 proposed constitutional amendment, initiated law, or referendum.

13 (b) Be worded so as to apprise the petition signers of the
14 subject matter of the proposed constitutional amendment, initiated
15 law, or referendum, but does not need to be legally precise.

16 (c) Be clearly written using words that have a common everyday
17 meaning to the general public.

18 (3) An individual who circulates a petition for a proposed
19 constitutional amendment, initiated law, or referendum may, before
20 circulating any petition, submit the petition form and the summary
21 of the purpose to the board of state canvassers for approval as to
22 the contents of the summary and to the form of the petition. The
23 director of elections shall review the submission and prepare a
24 proposed summary of the purpose of the proposed constitutional
25 amendment, initiated law, or referendum for approval by the board
26 of state canvassers.

27 (4) The board of state canvassers must issue a determination
28 approving or rejecting the petition form and the content of the
29 proposed summary of the purpose prepared under subsection (1) not

1 more than 30 days after the final submission from the petitioner.

2 (5) The board of state canvassers shall not consider a
3 challenge to the sufficiency of a submitted petition on the basis
4 of the summary of the purpose or the petition form if the summary
5 of the purpose and the petition form used were approved as provided
6 under this section before the petition is circulated.

7 Sec. 481a. For purposes of this section, all of the following
8 apply to a petition proposing a constitutional amendment:

9 (a) An existing provision of the constitution would be altered
10 by a proposed constitutional amendment only if the proposed
11 constitutional amendment would add to, delete from, or change the
12 actual text of the existing wording of that provision.

13 (b) An existing provision of the constitution would be
14 abrogated by a proposed constitutional amendment only if the
15 existing provision would be rendered wholly inoperative by the
16 proposed constitutional amendment. An existing provision is
17 rendered wholly inoperative if the proposed constitutional
18 amendment would make the existing provision a nullity or if it
19 would be impossible for the proposed constitutional amendment to be
20 harmonized with the existing provision when the 2 provisions are
21 considered together. An existing provision would not be rendered
22 wholly inoperative if the existing provision is not incompatible
23 with and can be reasonably construed in a manner consistent with
24 the proposed constitutional amendment.

25 (c) An existing provision of the constitution would not be
26 altered or abrogated by a proposed constitutional amendment if
27 either of the following applies:

28 (i) The proposed constitutional amendment would affect or might
29 affect the existing provision and both the proposed constitutional



1 amendment and the existing provision can be harmoniously construed.

2 (ii) The proposed constitutional amendment would affect or
3 might affect the existing provision in a manner that requires both
4 the proposed constitutional amendment and the existing provision to
5 be interpreted together.

6 (d) The text of a proposed constitutional amendment, not the
7 characterization or interpretation of the meaning or purpose of the
8 proposed constitutional amendment, controls in determining whether
9 an existing provision of the constitution would be altered or
10 abrogated.

11 Sec. 482. (1) Each petition under this section must be ~~8-1/2~~
12 ~~inches by 14 inches in size~~ in substantially the form, and include
13 all of the elements, as provided in this section. The secretary of
14 state shall create a petition form, with the approval of the board
15 of state canvassers, to be used by petitioners under this section.
16 The bureau of elections shall issue and make publicly available a
17 digitally editable model of the petition form approved under this
18 subsection. Unless otherwise provided in this section, the text on
19 a petition form under this section must be printed in at least 8-
20 point type.

21 (2) The sponsor of a petition under this section may print on
22 the petition form in any point type union symbols, bar codes, QR
23 codes, websites, or any other similar information in the area on
24 the petition form that is designated solely for the sponsor.

25 (3) ~~(2)~~ If the measure to be submitted proposes a
26 constitutional amendment, ~~initiation of legislation, an initiated~~
27 ~~law, or a referendum, of legislation,~~ the heading of each part of
28 the petition must be prepared in **substantially** the following form
29 and ~~be printed in capital letters in 14-point boldfaced type:~~ **at the**



1 top of the petition:

2 ~~INITIATIVE PETITION~~

3 ~~AMENDMENT TO THE CONSTITUTION~~ **Petition to Amend the State**
 4 **Constitution**

5 OR

6 ~~INITIATION OF LEGISLATION~~ **Petition to Initiate a New Law**

7 OR

8 ~~REFERENDUM OF LEGISLATION~~ **Petition to Approve or Reject a Law**
 9 **(Referendum)**

10 ~~PROPOSED BY INITIATIVE PETITION~~

11 **(4)** ~~(3)~~ A summary in not more than 100 words of the purpose of
 12 the proposed amendment or question proposed **constitutional**
 13 **amendment, initiated law, or referendum that complies with the**
 14 **requirements of section 474** must follow and be printed in **at least**
 15 **12-point type.**

16 **(5)** If the petition is for a proposed constitutional
 17 amendment, all of the following must be printed on the petition
 18 form:

19 **(a)** An indication of the sections of the state constitution
 20 that would be amended, repealed, or added by the proposed
 21 constitutional amendment.

22 **(b)** If the petition sponsor maintains an internet website, an
 23 address for the internet website that includes the summary of the
 24 purpose, the full text of the proposed constitutional amendment,
 25 and the full text of any existing provision of the state
 26 constitution that would be altered or abrogated by the proposed
 27 constitutional amendment.

28 **(c)** A statement directing electors to see the reverse side of
 29 the petition for the full text of the proposed constitutional



1 amendment and any existing provisions of the state constitution
2 that would be altered or abrogated by the proposed constitutional
3 amendment.

4 (6) If the petition is for a proposed initiated law, all of
5 the following must be printed on the petition form:

6 (a) The full legal name included in the proposed initiated
7 law.

8 (b) The full legal name enacted by the legislature, if any,
9 for an existing law that would be amended or repealed by the
10 proposed initiated law.

11 (c) If applicable, the public act number and year of the
12 existing law that would be amended or repealed by the proposed
13 initiated law.

14 (d) If applicable, the range of sections in the compiled laws
15 of the law that would be amended or repealed in the proposed
16 initiated law.

17 (e) If the petition sponsor maintains an internet website, an
18 address for the internet website that includes the summary of the
19 purpose and the full text of the legislation proposed by the
20 initiated law.

21 (7) If the petition is for a proposed referendum, both of the
22 following must be printed on the petition form:

23 (a) The public act number and year of the public act subject
24 to the proposed referendum.

25 (b) If the petition sponsor maintains an internet website, an
26 address for the internet website that includes the summary of the
27 purpose and the full text of the law subject to the referendum.

28 (8) The full text of the ~~amendment so proposed~~ constitutional
29 amendment, initiated law, or referendum must ~~follow the summary and~~



1 be printed ~~in 8-point type.~~ **on the reverse side of the petition**
 2 **form. If the full text of the proposed constitutional amendment,**
 3 **initiated law, or referendum is too lengthy to be printed on the**
 4 **reverse side of the petition form, the text must be continued on a**
 5 **fold-over extension of the same petition form. If ~~the proposal a~~**
 6 **proposed constitutional amendment** would alter or abrogate an
 7 existing provision of the constitution, the petition must so state
 8 and the provisions to be altered or abrogated **if the constitutional**
 9 **amendment is adopted** must **also** be ~~inserted, preceded by the~~
 10 ~~words:~~**printed.**

11 ~~"Provisions of existing constitution altered or abrogated by~~
 12 ~~the proposal if adopted."~~

13 (9) ~~(4)~~ The following statement must appear beneath the
 14 petition heading:

15 ~~"We, the undersigned qualified and"~~ **As** registered electors ~~,~~
 16 residents in the _____ congressional district
 17 ~~in of~~ the state of Michigan, ~~respectively we sign this~~ petition for
 18 ~~(amendment to constitution) (initiation of legislation) (referendum~~
 19 ~~of legislation) (other appropriate description).~~ **(to amend the state**
 20 **constitution) (to initiate a new law) (to approve or reject a**
 21 **law) ."**

22 (10) ~~(5)~~ The following warning must be printed ~~in 12-point~~
 23 ~~type immediately above the place for signatures, on each part of on~~
 24 the petition **form:**

WARNING

26 ~~A person who~~ **It is a violation of the Michigan election law**
 27 **for an individual to** knowingly ~~signs~~ **sign** this petition more than
 28 once, ~~signs a~~ **sign** the name ~~other than his or her own, signs of~~
 29 **another individual, sign** when not ~~a qualified and registered~~



1 ~~elector, to vote in this state, or sets opposite his or her~~
 2 ~~signature on a petition, a~~ **write** a date other than the actual date
 3 ~~the signature was affixed, is violating the provisions of the~~
 4 ~~Michigan election law.~~ **individual signed the petition.**

5 ~~(6) Subject to subsections (7) and (8), the remainder of the~~
 6 ~~petition form must be as provided following the warning to electors~~
 7 ~~signing the petition in section 544c(1). In addition, the petition~~
 8 ~~must comply with the requirements of section 544c(2).~~

9 **(11) A table for signatures of those signing a petition must**
 10 **be printed on the petition form that includes a space for the**
 11 **signatures, the printed names of the individuals, the street**
 12 **address or rural route of the individuals, the city or township of**
 13 **the individuals, the zip code of the individuals, the county in**
 14 **which the individuals reside, and the date of the signatures.**
 15 **Subject to this subsection and subsection (14), a petition signer**
 16 **must include all of the requested information on the petition form.**
 17 **None of the following is sufficient cause to invalidate a signature**
 18 **as long as the information provided is sufficient to match the**
 19 **petition signer with an elector in the qualified voter file:**

- 20 (a) A jurisdictional abbreviation.
- 21 (b) A missing or incomplete zip code or county.
- 22 (c) Missing directional information or apartment number.
- 23 (d) A missing street suffix.
- 24 (e) An abbreviation of a street name or suffix.

25 **(12) The following statement must appear on the petition form:**

26 **Petition Circulator Certification**

27 **I certify that when I circulated this petition I was 18 years**
 28 **of age or older and a United States citizen, that each signature on**
 29 **the petition was signed in my presence, that I have no knowledge of**



1 an individual signing this petition more than once, and that to my
2 knowledge and belief, each signature on the petition is the genuine
3 signature of the individual signing the petition.

4 I acknowledge that knowingly making a false statement in this
5 certification is a misdemeanor.

6 I certify that I did not sign or date this certification until
7 after circulating the petition.

8 ____ If the circulator is not a resident of this state, the
9 circulator must make a cross or check mark on the line provided.
10 The circulator agrees to accept the jurisdiction of this state in
11 any proceeding regarding this petition.

12 (13) Adjacent to the petition circulator certification
13 required under subsection (12), the printed name of the petition
14 circulator, the complete residence address of the petition
15 circulator, the city or township, state, and zip code of the
16 petition circulator, the signature of the petition circulator, and
17 the date the petition circulator certification is signed by the
18 petition circulator must appear on the petition form.

19 (14) The failure of the petition circulator or an elector who
20 signs the petition to print the petition circulator's or elector's
21 name in the location prescribed on the petition does not affect the
22 validity of the signature of the circulator or the elector who
23 signs the petition. If an elector does not include the elector's
24 signature, the elector's street address or rural route, or the date
25 of signing on the petition, the elector's signature is invalid and
26 must not be counted by a filing official.

27 (15) The petition form must include any identification
28 statement required under either of the following:

29 (a) Section 47 of the Michigan campaign finance act, 1976 PA



1 388, MCL 169.247.

2 (b) Any administrative rules promulgated under the Michigan
3 campaign finance act, 1976 PA 388, MCL 169.201 to 169.282.

4 (16) ~~(7)~~ Each petition **form** under this section must provide at
5 ~~the top of the page~~ check boxes and statements ~~printed in 12-point~~
6 ~~type~~ to clearly indicate whether the circulator of the petition is
7 a paid ~~signature gatherer~~ **petition circulator** or a volunteer
8 ~~signature gatherer~~. **petition circulator**. As used in this subsection,
9 "paid petition circulator" means an individual who is compensated,
10 directly or indirectly, through payments of money or other valuable
11 consideration to obtain signatures on a petition as described in
12 section 471.

13 ~~(8) Each petition under this section must clearly indicate~~
14 ~~below the statement required under subsection (7) and be printed in~~
15 ~~12 point type that if the petition circulator does not comply with~~
16 ~~all of the requirements of this act for petition circulators, any~~
17 ~~signature obtained by that petition circulator on that petition is~~
18 ~~invalid and will not be counted.~~

19 Sec. 482a. ~~(1) If an individual who circulates a petition~~
20 ~~under section 482 is a paid signature gatherer, then that~~
21 ~~individual must, before circulating any petition, file a signed~~
22 ~~affidavit with the secretary of state that indicates he or she is a~~
23 ~~paid signature gatherer.~~

24 ~~(2) Any signature obtained on a petition under section 482 by~~
25 ~~an individual who has not filed the required affidavit under~~
26 ~~subsection (1) is invalid and must not be counted.~~

27 (1) ~~(3)~~ If the circulator of a petition under section 482
28 ~~provides or uses a false address~~ **omits the circulator's name,**
29 **address, signature, or date signed,** or provides any ~~fraudulent~~



1 **false** information on the ~~certificate of circulator, petition~~
 2 **circulator certification**, any signature obtained by that circulator
 3 on that petition **sheet** is invalid and must not be counted. **None of**
 4 **the following is sufficient cause to invalidate a circulator's**
 5 **signature as long as the information provided is sufficient to**
 6 **locate the circulator, if necessary:**

7 (a) A jurisdictional abbreviation.

8 (b) A missing or incomplete zip code or county.

9 (c) Missing directional information or apartment number.

10 (d) A missing street suffix.

11 (e) An abbreviation of a street name or suffix.

12 (2) ~~(4)~~—If a petition under section 482 is circulated and the
 13 petition does not **substantially** meet all of the requirements under
 14 section 482, any signature obtained on that petition is invalid and
 15 must not be counted.

16 (3) ~~(5)~~—Any signature obtained on a petition under section 482
 17 that was not signed in the circulator's presence is invalid and
 18 must not be counted.

19 (4) **Except as otherwise provided in section 544c(20), the**
 20 **invalidity of 1 or more signatures on a petition sheet proposing a**
 21 **constitutional amendment, initiated law, or referendum does not**
 22 **affect the validity of the remainder of the signatures on the**
 23 **petition sheet.**

24 (5) If the circulator of a petition proposing a constitutional
 25 amendment, initiated law, or referendum is not a resident of this
 26 state, the circulator must indicate where provided on the petition
 27 circulator certification that the circulator agrees to accept the
 28 jurisdiction of this state for the purpose of any legal proceeding
 29 or hearing initiated under section 476 that concerns a petition



1 sheet executed by the circulator and that legal process served on
 2 the secretary of state or a designated agent of the secretary of
 3 state has the same effect as if personally served on the
 4 circulator. If the secretary of state or a designated agent of the
 5 secretary of state is served with legal process as described in
 6 this subsection, the secretary of state shall promptly notify the
 7 circulator by personal service or certified mail at the
 8 circulator's residence address as indicated in the petition
 9 circulator certification.

10 (6) The board of state canvassers may use a statistical random
 11 sampling methodology, as approved by the board of state canvassers,
 12 to determine whether a petition under section 482 complies with the
 13 requirements of this section.

14 Sec. 482e. (1) An individual shall not do any of the following
 15 regarding a petition **proposing a constitutional amendment, an**
 16 **initiated law, or a referendum** under section 482:

17 (a) Sign a petition with a name other than ~~his or her the~~
 18 **individual's own name.**

19 (b) Make a false statement in a ~~certificate~~ **certification** on a
 20 petition.

21 (c) If not a circulator, sign a petition as a circulator.

22 (d) Sign a name as circulator other than ~~his or her the~~
 23 **individual's own name.**

24 (2) ~~Except as otherwise provided in subsection (3), an~~ **An**
 25 individual who violates subsection ~~(1) (b) or (c)~~ **(1) (b) or (c)** is guilty of a
 26 misdemeanor punishable by a fine of not more than \$500.00 or
 27 imprisonment for not more than 93 days, or both.

28 (3) An individual ~~shall not sign a petition under section 482~~
 29 ~~with multiple names. An individual who violates this subsection~~



1 **(1) (a) or (d)** is guilty of a felony.

2 (4) If an individual signs a petition in violation of this
3 section, any signature by that individual on the petition is
4 invalid and must not be counted.

5 **(5) If an individual signs a petition more than once, only the**
6 **first valid signature may be counted.**

7 Sec. 483a. (1) The petition sponsor of a petition proposing ~~an~~
8 **a constitutional** amendment ~~to the constitution~~ or to initiate
9 ~~legislation~~ **a law** shall file the petition or an amended petition
10 with the secretary of state.

11 ~~(2) The petition sponsor of a petition proposing an amendment~~
12 ~~to the constitution or to initiate legislation shall not circulate~~
13 ~~a petition or an amended petition for signatures until the petition~~
14 ~~or amended petition is filed with the secretary of state as~~
15 ~~required in subsection (1).~~

16 **(2)** ~~(3)~~ The secretary of state shall make the most recent
17 submission of the petition language filed under subsection (1)
18 available to the public on an internet website maintained by the
19 department of state.

20 ~~(4) This section takes effect January 1, 2013.~~

21 Sec. 488. (1) Section 544c applies to a nominating petition
22 for an office in a political subdivision under a statute that
23 refers to this section, and to the circulation and signing of the
24 petition.

25 (2) Section 482(1), ~~(4), (5), and (6)~~ **(2), (9), (10), (11),**
26 **(12), (13), (14), (15), and (16)** apply to a petition to place a
27 question on the ballot before the electorate of a political
28 subdivision under a statute that refers to this section, and to the
29 circulation and signing of the petition.



1 (3) ~~A person~~ **An individual** who violates a provision of this
 2 act applicable to a petition ~~pursuant to~~ **under** subsection (1) or
 3 (2) is subject to the penalties prescribed for that violation in
 4 this act.

5 Sec. 544c. (1) A nominating petition must be ~~8-1/2 inches by~~
 6 ~~14 inches in size. On a nominating petition, the words "nominating~~
 7 ~~petition" must be printed in 24-point boldface type. "We, the~~
 8 ~~undersigned," et cetera must be printed in 8-point type. "Warning"~~
 9 ~~and language in the warning must be printed in 12-point boldface~~
 10 ~~type. The balance of the petition must be printed in 8-point type.~~
 11 ~~The name, address, and party affiliation of the candidate and the~~
 12 ~~office for which petitions are signed must be printed in type not~~
 13 ~~larger than 24-point.~~ **in substantially the form, and include all of**
 14 **the elements, as provided in this section. The secretary of state**
 15 **shall create a nominating petition form, with the approval of the**
 16 **board of state canvassers, to be used by petitioners under this**
 17 **section. The bureau of elections shall issue and make publicly**
 18 **available a digitally editable model of the nominating petition**
 19 **form approved under this subsection. Unless otherwise provided in**
 20 **this section, the text on the nominating petition form under this**
 21 **section must be printed in at least 8-point type.**

22 (2) The sponsor of a petition under this section may print on
 23 the petition form in any point type union symbols, bar codes, QR
 24 codes, websites, and any other similar information in the area on
 25 the petition form that is designated solely for the sponsor.

26 (3) The **heading of a nominating** petition must be **prepared in**
 27 **substantially** the following form **and be printed at the top of the**
 28 **nominating petition:**

29 ~~NOMINATING PETITION~~ **Nominating Petition**



~~(PARTISAN)~~ (Partisan)

(4) The following statement must appear beneath the nominating petition heading:

~~We, the undersigned,~~ **As** registered and qualified voters
electors
of the city or township of , ~~in the county~~
(strike 1)
~~of~~ and state of Michigan, **we sign this petition**
to nominate,
..... ,
(Name of Candidate)
..... ,
(Street Address or Rural Route) (City or Township)
as a candidate of the party for the office of
..... ,
..... ,
(District, if any)
to be voted for at the ~~primary~~ election to be held on the
..... day of , 20

(5) The following warning must be printed on the petition form:

WARNING



~~A person who~~ **It is a violation of the Michigan election law**
for an individual to knowingly ~~signs~~ **sign** more **nominating** petitions
for the same office than there are ~~persons~~ **individuals** to be
elected to the office, ~~signs~~ **sign** a **nominating** petition more than
once, ~~or signs~~ **sign** a name other than ~~his or her~~ **the individual's**
own, ~~is violating the provisions of the Michigan election law.~~ **sign**
when not registered to vote in this state, or write a date other
than the date the individual signed the petition.

Printed	Street Address				
Name and	or	Date of Signing			
Signature	Rural Route	Zip Code	Mo.	Day	Year
1.					
2.					
3.					
4.					

~~numbered lines as above~~

CERTIFICATE OF CIRCULATOR

~~The undersigned circulator of the above petition asserts that~~
~~he or she is 18 years of age or older and a United States citizen;~~
~~that each signature on the petition was signed in his or her~~
~~presence; that he or she has neither caused nor permitted a person~~
~~to sign the petition more than once and has no knowledge of a~~
~~person signing the petition more than once; and that, to his or her~~
~~best knowledge and belief, each signature is the genuine signature~~
~~of the person purporting to sign the petition, the person signing~~
~~the petition was at the time of signing a registered elector of the~~
~~city or township listed in the heading of the petition, and the~~
~~elector was qualified to sign the petition.~~

~~Circulator Do not sign or date certificate until after~~



1 ~~circulating petition.~~

2 (6) A table for signatures of those signing a petition must be
3 printed on the petition form that includes a space for the
4 signatures, the printed names of the individuals, the street
5 address or rural route of the individuals, the city or township of
6 the individuals, the zip code of the individuals, the county in
7 which the individuals reside, and the date of the signatures.
8 Subject to this subsection and subsection (9), a petition signer
9 must include all of the requested information on the petition form.
10 None of the following is sufficient cause to invalidate a signature
11 as long as the information provided is sufficient to match the
12 petition signer with an elector in the qualified voter file:

13 (a) A jurisdictional abbreviation.

14 (b) A missing or incomplete zip code or county.

15 (c) Missing directional information or apartment number.

16 (d) A missing street suffix.

17 (e) An abbreviation of a street name or suffix.

18 (7) The following statement must appear on the petition form:

19 **Petition Circulator Certification**

20 I certify that when I circulated this petition I was 18 years
21 of age or older and a United States citizen, that each signature on
22 the petition was signed in my presence, that I have no knowledge of
23 an individual signing this petition more than once, and that, to my
24 knowledge and belief, each signature on the petition is the genuine
25 signature of the individual signing the petition.

26 I acknowledge that knowingly making a false statement in this
27 certification is a misdemeanor.

28 I certify that I did not sign or date this certification until
29 after circulating the petition.



____ If the circulator is not a resident of ~~Michigan, this~~
state, the circulator ~~shall~~ **must** make a cross or check mark on the
 line provided. ~~, otherwise each signature on this petition sheet is~~
~~invalid and the signatures will not be counted by a filing~~
~~official. By making a cross or check mark on the line provided, the~~
~~undersigned circulator asserts that he or she is not a resident of~~
~~Michigan and~~ **The circulator** agrees to accept the jurisdiction of
 this state ~~for the purpose of~~ **in** any legal proceeding ~~or hearing~~
~~that concerns a~~ **regarding this** petition. ~~sheet executed by the~~
~~circulator and agrees that legal process served on the secretary of~~
~~state or a designated agent of the secretary of state has the same~~
~~effect as if personally served on the circulator.~~

(8) Adjacent to the petition circulator certification required
 under subsection (7), the printed name of the petition circulator,
 the complete residence address of the petition circulator, the city
 or township, state, and zip code of the petition circulator, the
 signature of the petition circulator, and the date the petition
 circulator certification is signed by the petition circulator must
 appear on the petition form.

~~(Printed Name and Signature of Circulator) (Date)~~

~~(Complete Residence Address (Street and Number or Rural~~
~~Route)) Do not enter a post office box~~

~~(City or Township, State, Zip Code)~~

~~(County of Registration, if Registered to Vote, of a~~
~~Circulator who is not a Resident of Michigan)~~



~~Warning A circulator knowingly making a false statement in the above certificate, a person not a circulator who signs as a circulator, or a person who signs a name other than his or her own as circulator is guilty of a misdemeanor.~~

~~(9) (2) The petition must be in a form providing a space for the circulator and each elector who signs the petition to print his or her name. The secretary of state shall prescribe the location of the space for the printed name. The failure of the petition circulator or an elector who signs the petition to print his or her name in the location prescribed by the secretary of state, or to enter a zip code or his or her correct zip code on the petition does not affect the validity of the signature of the circulator or the elector who signs the petition. A printed name located in the space prescribed for printed names does not constitute the signature of the circulator or elector. If an elector does not include his or her the elector's signature, his or her street the elector's street address or rural route, or the date of signing on the petition, as required under subsection (1), the elector's signature is invalid and must not be counted by a filing official.~~

(10) The petition form must include any identification statement required under either of the following:

(a) Section 47 of the Michigan campaign finance act, 1976 PA 388, MCL 169.247.

(b) Any administrative rules promulgated under the Michigan campaign finance act, 1976 PA 388, MCL 169.201 to 169.282.

(11) Each petition form under this section must provide check boxes and statements to clearly indicate whether the circulator of the petition is a paid petition circulator or a volunteer petition



1 circulator. As used in this subsection, "paid petition circulator"
 2 means an individual who is compensated, directly or indirectly,
 3 through payments of money or other valuable consideration to obtain
 4 signatures on a petition.

5 (12) ~~(3)~~ If the circulator of a ~~petition under section 482,~~ a
 6 qualifying petition for an office named in section 590b(4) ~~,~~ or a
 7 petition to form a new political party under section 685 is not a
 8 resident of this state, the circulator shall indicate where
 9 provided on the ~~certificate of~~ **petition circulator certification**
 10 that ~~he or she~~ **the circulator** agrees to accept the jurisdiction of
 11 this state for the purpose of any legal proceeding or hearing
 12 initiated under section ~~476,~~ 552, 590f(2), or 685 that concerns a
 13 petition sheet executed by the circulator and ~~agrees~~ that legal
 14 process served on the secretary of state or a designated agent of
 15 the secretary of state has the same effect as if personally served
 16 on the circulator.

17 (13) ~~(4)~~ If the secretary of state or a designated agent of
 18 the secretary of state is served with legal process as described in
 19 subsection ~~(3),~~ **(12)**, the secretary of state shall promptly notify
 20 the circulator by personal service or certified mail at the
 21 circulator's ~~residential~~ **residence** address as indicated in the
 22 ~~certificate of~~ **petition circulator certification**.

23 (14) ~~(5)~~ The circulator of a petition shall sign and date the
 24 ~~certificate of~~ **petition circulator certification** before the
 25 petition is filed. A circulator shall not obtain electors'
 26 signatures after the circulator has signed and dated the
 27 ~~certificate of~~ **petition circulator certification**. A filing official
 28 shall not count electors' signatures that were obtained after the
 29 date the circulator signed the ~~certificate~~ **petition circulator**



1 **certification** or that are contained in a petition that the
2 circulator did not sign and date.

3 (15) ~~(6)~~ Except as provided in section 544d, a petition sheet
4 must not be circulated in more than 1 city or township and each
5 signer of a petition sheet must be a registered elector of the city
6 or township indicated in the heading of the petition sheet. The
7 invalidity of 1 or more signatures on a petition does not affect
8 the validity of the remainder of the signatures on the petition.

9 (16) ~~(7)~~ An individual shall not sign more nominating
10 petitions for the same office than there are ~~persons~~ **individuals** to
11 be elected to the office. An individual who violates this
12 subsection is guilty of a misdemeanor.

13 (17) ~~(8)~~ An individual shall not do any of the following:

14 (a) Sign a petition with a name other than ~~his or her~~ **the**
15 **individual's** own.

16 (b) Make a false statement in a certificate on a petition.

17 (c) If not a circulator, sign a petition as a circulator.

18 (d) Sign a name as circulator other than ~~his or her~~ **the**
19 **individual's** own.

20 ~~(18) (9) Except as otherwise provided in subsection (10), an~~
21 **An** individual who violates subsection ~~(8)~~ **(17) (b) or (c)** is guilty
22 of a misdemeanor punishable by a fine of not more than \$500.00 or
23 imprisonment for not more than 93 days, or both.

24 (19) ~~(10) An individual shall not sign a petition with~~
25 ~~multiple names. An individual who violates this subsection~~ **(17) (a)**
26 **or (d)** is guilty of a felony.

27 (20) ~~(11)~~ If after a canvass and a hearing on a petition under
28 section 476 or 552 the board of state canvassers determines that an
29 individual has knowingly and intentionally failed to comply with



subsection ~~(8) or (10), (17)~~, the board of state canvassers may impose 1 or more of the following sanctions:

(a) Disqualify obviously fraudulent signatures on a petition form on which the violation of subsection ~~(8) or (10) (17)~~ occurred, without checking the signatures against local registration records **or the qualified voter file.**

(b) Disqualify from the ballot a candidate who committed, aided or abetted, or knowingly allowed the violation of subsection ~~(8) or (10) (17)~~ on a petition to nominate that candidate.

(21) ~~(12)~~ If an individual violates subsection ~~(8) or (10) (17)~~ and the affected petition sheet is filed, each of the following who knew of the violation of subsection ~~(8) or (10) (17)~~ before the filing of the affected petition sheet and who failed to report the violation to the secretary of state, the filing official, if different, the attorney general, a law enforcement officer, or the county prosecuting attorney is guilty of a misdemeanor, ~~punishable by a fine of not more than \$500.00 or imprisonment for not more than 1 year, or both:~~

(a) The circulator of the petition, if different than the individual who violated subsection ~~(8) or (10) (17)~~.

(b) If the petition is a nominating petition, the candidate whose nomination is sought.

(c) If the petition is a petition for a ballot question or recall, the organization or other person sponsoring the petition drive.

(22) ~~(13) If after a canvass and a hearing on a petition under section 476 or 552 the board of state canvassers determines that an individual has violated~~ **After a conviction under** subsection ~~(12), (21)~~, the board of state canvassers may impose 1 or more of the



1 following sanctions:

2 (a) Impose on the organization or other person sponsoring the
3 petition drive an administrative fine of not more than \$5,000.00.

4 (b) Charge the organization or other person sponsoring the
5 petition drive for the costs of canvassing a petition form on which
6 a violation of subsection ~~(8) or (10)~~ **(17)** occurred.

7 (c) Disqualify an organization or other person described in
8 subdivision (a) from collecting signatures on a petition for a
9 period of not more than 4 years.

10 ~~(d) Disqualify obviously fraudulent signatures on a petition~~
11 ~~form on which a violation of subsection (8) or (10) occurred~~
12 ~~without checking the signatures against local registration records.~~

13 ~~(e) Disqualify from the ballot a candidate who committed,~~
14 ~~aided or abetted, or knowingly allowed a violation of subsection~~
15 ~~(8) or (10) on a petition to nominate that candidate.~~

16 **(23)** ~~(14)~~ If an individual refuses to comply with a subpoena
17 of the board of state canvassers in an investigation of an alleged
18 violation of subsection ~~(8), (10), or (12),~~ **(17) or (21)**, the board
19 may hold the canvass of the petitions in abeyance until the
20 individual complies **or may disqualify the candidate from the ballot**
21 **if the individual does not comply by the deadline to complete the**
22 **canvass.**

23 **(24)** ~~(15)~~ ~~A person~~ **An individual** who aids or abets another in
24 an act that is prohibited by this section is guilty of that act.

25 **(25)** ~~(16)~~ The provisions of this section except as otherwise
26 expressly provided apply to all petitions circulated under
27 authority of the election law.

28 Sec. 544d. Nominating petitions for the offices under this act
29 and petitions for a local proposal may be circulated on a



countywide form. Petitions circulated countywide must be on a form prescribed by the secretary of state, which form must be substantially as provided in sections 482, 544a, or 544c, whichever is applicable. The secretary of state may provide for a petition form larger than 8-1/2 inches by 13 inches and shall provide for identification of the city or township in which the ~~person~~ **individual** signing the petition is registered. The ~~certificate of the petition~~ circulator **certification** may be on the reverse side of the petition. This section does not prohibit the circulation of petitions on another form prescribed by this act.

Sec. 951a. (1) A petition for the recall of an officer listed in section 959 must meet all of the following requirements:

(a) Comply with section 544c(1) ~~and (2)~~ **to (11)**.

(b) Be printed.

(c) State factually and clearly each reason for the recall. Each reason for the recall must be based ~~upon~~ **on** the officer's conduct during ~~his or her~~ **the officer's** current term of office. The reason for the recall may be typewritten. If any reason for the recall is based on the officer's conduct in connection with specific legislation, the reason for the recall must not misrepresent the content of the specific legislation.

(d) Contain a certificate of the circulator. The certificate of the circulator may be printed on the reverse side of the petition.

(e) Be in a form prescribed by the secretary of state.

(2) Before being circulated, a petition for the recall of an officer under subsection (1) must be submitted to the board of state canvassers.

(3) The board of state canvassers, not less than 10 days or



1 more than 20 days after submission to it of a petition for the
2 recall of an officer under subsection (1), shall meet and shall
3 determine by an affirmative vote of 3 of the members serving on the
4 board of state canvassers whether each reason for the recall stated
5 in the petition is factual and of sufficient clarity to enable the
6 officer whose recall is sought and the electors to identify the
7 course of conduct that is the basis for the recall. If any reason
8 for the recall is not factual or of sufficient clarity, the entire
9 recall petition must be rejected. Failure of the board of state
10 canvassers to meet as required by this subsection constitutes a
11 determination that each reason for the recall stated in the
12 petition is factual and of sufficient clarity to enable the officer
13 whose recall is being sought and the electors to identify the
14 course of conduct that is the basis for the recall.

15 (4) The board of state canvassers, not later than 3 business
16 days after receipt of a petition for the recall of an officer as
17 provided under subsection (2), shall notify the officer whose
18 recall is sought of each reason stated in the recall petition and
19 of the date of the meeting of the board of state canvassers to
20 consider whether each reason is factual and of sufficient clarity.

21 (5) The officer whose recall is sought and the sponsors of the
22 recall petition may appear at the meeting and present arguments on
23 whether each reason is factual and of sufficient clarity.

24 (6) The determination by the board of state canvassers may be
25 appealed by the officer whose recall is sought or by the sponsors
26 of the recall petition drive to the court of appeals. The appeal
27 must be filed not more than 10 days after the determination of the
28 board of state canvassers. If a determination of the board of state
29 canvassers is appealed to the court of appeals, the recall petition



1 is not valid for circulation and must not be circulated until a
 2 determination of whether each reason is factual and of sufficient
 3 clarity is made by the court of appeals or until 40 days after the
 4 date of the appeal, whichever is sooner.

5 (7) A petition is not valid for circulation if at any time the
 6 court of appeals determines that each reason on the recall petition
 7 is not factual and of sufficient clarity.

8 (8) A recall petition is valid for 180 days after either of
 9 the following, whichever occurs later:

10 (a) The date of determination of whether each reason is
 11 factual and of sufficient clarity by the board of state canvassers.

12 (b) The sooner of the following:

13 (i) The date of determination of whether each reason is factual
 14 and of sufficient clarity by the court of appeals.

15 (ii) Subject to subsection (7), 40 days after the date of the
 16 appeal under subsection (6).

17 (9) A recall petition that is filed after the 180-day period
 18 described in subsection (8) is not valid and must not be accepted
 19 by the filing official under section 961. This subsection does not
 20 prohibit ~~a person~~ **an individual** from resubmitting a recall petition
 21 for a determination of sufficient clarity and factualness under
 22 this section.

23 Sec. 952. (1) A petition for the recall of an officer listed
 24 in section 960 must meet all of the following requirements:

25 (a) Comply with section 544c(1) ~~and (2)~~ **to (11)**.

26 (b) Be printed.

27 (c) State factually and clearly each reason for the recall.
 28 Each reason for the recall must be based ~~upon~~ **on** the officer's
 29 conduct during ~~his or her~~ **the officer's** current term of office. The



1 reason for the recall may be typewritten.

2 (d) Contain a certificate of the circulator. The certificate
3 of the circulator may be printed on the reverse side of the
4 petition.

5 (e) Be in a form prescribed by the secretary of state.

6 (2) Before being circulated, a petition for the recall of an
7 officer under subsection (1) must be submitted to the board of
8 county election commissioners of the county in which the officer
9 whose recall is sought resides.

10 (3) The board of county election commissioners, not less than
11 10 days or more than 20 days after submission to it of a petition
12 for the recall of an officer under subsection (1), shall meet and
13 shall determine whether each reason for the recall stated in the
14 petition is factual and of sufficient clarity to enable the officer
15 whose recall is sought and the electors to identify the course of
16 conduct that is the basis for the recall. If any reason for the
17 recall is not factual or of sufficient clarity, the entire recall
18 petition must be rejected. Failure of the board of county election
19 commissioners to meet as required by this subsection constitutes a
20 determination that each reason for the recall stated in the
21 petition is factual and of sufficient clarity to enable the officer
22 whose recall is being sought and the electors to identify the
23 course of conduct that is the basis for the recall.

24 (4) The board of county election commissioners, not later than
25 3 business days after receipt of a petition for the recall of an
26 officer as provided under subsection (2), shall notify the officer
27 whose recall is sought of each reason stated in the recall petition
28 and of the date of the meeting of the board of county election
29 commissioners to consider whether each reason is factual and of



1 sufficient clarity.

2 (5) The officer whose recall is sought and the sponsors of the
3 recall petition may appear at the meeting and present arguments on
4 whether each reason is factual and of sufficient clarity.

5 (6) The determination by the board of county election
6 commissioners may be appealed by the officer whose recall is sought
7 or by the sponsors of the recall petition drive to the circuit
8 court in the county. The appeal must be filed not more than 10 days
9 after the determination of the board of county election
10 commissioners. If a determination of the board of county election
11 commissioners is appealed to the circuit court in the county, the
12 recall petition is not valid for circulation and must not be
13 circulated until a determination of whether each reason is factual
14 and of sufficient clarity is made by the circuit court or until 40
15 days after the date of the appeal, whichever is sooner.

16 (7) A petition is not valid for circulation if at any time a
17 circuit court determines that each reason on the recall petition is
18 not factual and of sufficient clarity.

19 (8) A recall petition is valid for 180 days after either of
20 the following, whichever occurs later:

21 (a) The date of determination of whether each reason is
22 factual and of sufficient clarity by the board of county election
23 commissioners.

24 (b) The sooner of the following:

25 (i) The date of determination of whether each reason is factual
26 and of sufficient clarity by the circuit court.

27 (ii) Subject to subsection (7), 40 days after the date of the
28 appeal under subsection (6).

29 (9) A recall petition that is filed after the 180-day period



described in subsection (8) is not valid and must not be accepted by the filing official under section 961. This subsection does not prohibit ~~a person~~ **an individual** from resubmitting a recall petition for a determination of sufficient clarity and factualness under this section.

Sec. 952a. The county clerk shall retain blank forms of recall petitions for use by the electors in the county. ~~A person~~ **An individual** may print ~~his or her~~ **the individual's** own recall petitions if those **recall** petitions comply substantially with the form prescribed by the secretary of state and the requirements of section ~~544e(2)~~ **544c(9)**.

Sec. 957. (1) ~~A person~~ **An individual** circulating a recall petition shall state in the ~~certificate of~~ **petition** circulator ~~his or her~~ **certification the individual's** residence address and that ~~he or she~~ **the individual** is 18 years of age or older and a United States citizen. In addition, the ~~certificate of~~ **petition** circulator **certification** must indicate all of the following:

(a) That signatures appearing ~~upon~~ **on** the recall petition were not obtained through fraud, deceit, or misrepresentation and that ~~he or she~~ **the individual** has neither caused nor permitted ~~a person~~ **an individual** to sign the recall petition more than once and has no knowledge of ~~a person~~ **an individual** signing the recall petition more than once.

(b) That all signatures to the recall petition were affixed in ~~his or her~~ **the individual's** presence.

(c) That, to the best of ~~his or her~~ **the individual's** knowledge, information, and belief, the signers of the recall petition are qualified and registered electors and the signatures appearing on the recall petition are the genuine signatures of the



1 ~~persons~~**individuals** signing the recall petition.

2 (2) ~~A person~~**An individual** who knowingly makes a false
3 statement in the ~~certificate of~~**petition** circulator **certification**
4 is guilty of a misdemeanor.

5 Sec. 961. (1) A recall petition shall be filed with the filing
6 officer provided in section 959 or 960. The filing official shall
7 give a receipt showing the date of filing, the number of recall
8 petition sheets filed, and the number of signatures claimed by the
9 filer. This ~~shall constitute~~**constitutes** the total filing, and
10 additional recall petition sheets for this filing ~~shall~~**must** not be
11 accepted by the filing official.

12 (2) Within 7 days after a recall petition is filed, the filing
13 official with whom the recall petition was filed shall examine the
14 recall petition. The filing official shall determine if the recall
15 petition is in proper form and shall determine the number of
16 signatures of the recall petition. In determining the number of
17 signatures, the filing official shall not count signatures on a
18 recall petition sheet if 1 or more of the following apply:

19 (a) The execution of the ~~certificate of~~**petition** circulator
20 **certification** is not in compliance with this act.

21 (b) The heading of the recall petition sheet is improperly
22 completed.

23 (c) The reasons for recall are different than those determined
24 under section 951a by the board of state canvassers or the Michigan
25 court of appeals or under section 952 by the board of county
26 election commissioners or the circuit court to be factual and of
27 sufficient clarity to enable the officer whose recall is sought and
28 the electors to identify the course of conduct which is the basis
29 for this recall.



1 (d) The signature was obtained before the date of
2 determination as provided under section 951a(8) by the board of
3 state canvassers or the Michigan court of appeals, whichever occurs
4 later, or as provided under section 952(8) by the board of county
5 election commissioners or the circuit court, whichever occurs
6 later, or more than 60 days before the filing of the recall
7 petition.

8 (3) If the filing official determines that the form of the
9 recall petition is improper or that the number of signatures is
10 less than the minimum number required in section 955, the filing
11 official shall proceed as provided in section 963(1).

12 (4) If the filing official determines that the number of
13 signatures is in excess of the minimum number required in section
14 955, the filing official shall determine the validity of the
15 signatures by verifying the registration of signers under
16 subsection (6) and may determine the genuineness of signatures
17 under subsection (7) or shall forward each recall petition sheet to
18 the clerk of the city or township appearing on the head of the
19 recall petition sheet. However, the recall petition ~~shall~~**must** not
20 be forwarded to the secretary of a school district.

21 (5) The city or township clerk shall determine the validity of
22 the signatures by verifying the registration of signers under
23 subsection (6) and may determine the genuineness of signatures
24 under subsection (7). Within 15 days after receipt of the recall
25 petition, the city or township clerk shall attach to the recall
26 petition a certificate indicating the number of signers on each
27 recall petition sheet that are registered electors in the city or
28 township and in the governmental unit for which the recall is
29 sought. The certificate ~~shall~~**must** be on a form approved by the



1 secretary of state and may be a part of the recall petition sheet.
2 If the recall petition is for the recall of a village official, the
3 county clerk shall forward the recall petition to the clerk of the
4 village, and the duties and responsibilities of the city or
5 township clerk as set forth in this section shall be performed by
6 the village clerk.

7 (6) The qualified voter file ~~shall~~**must** be used to determine
8 the validity of recall petition signatures by verifying the
9 registration of signers. If the qualified voter file indicates
10 that, on the date the elector signed the recall petition, the
11 elector was not registered to vote, there is a rebuttable
12 presumption that the signature is invalid. If the qualified voter
13 file indicates that, on the date the elector signed the recall
14 petition, the elector was not registered to vote in the city or
15 township designated on the recall petition, there is a rebuttable
16 presumption that the signature is invalid.

17 (7) The qualified voter file ~~shall~~**must** be used to determine
18 the genuineness of a challenged petition signature appearing on a
19 recall petition. Signature comparisons ~~shall~~**must** be made with the
20 digitized signature in the qualified voter file. If the qualified
21 voter file does not contain a digitized signature of an elector,
22 the official with whom the recall petition was filed shall compare
23 the challenged signature to the signature on the master card.

24 Enacting section 1. Sections 482b, 482c, and 482d of the
25 Michigan election law, 1954 PA 116, MCL 168.482b, 168.482c, and
26 168.482d, are repealed.

27 Enacting section 2. This amendatory act does not take effect
28 unless all of the following bills of the 102nd Legislature are
29 enacted into law:



- 1 (a) House Bill No. 5572.
- 2 (b) House Bill No. 5573.
- 3 (c) House Bill No. 5575.
- 4 (d) House Bill No. 5576.

