

# HOUSE BILL No. 5704

February 16, 2006, Introduced by Reps. Gaffney and Elsenheimer and referred to the Committee on House Oversight, Elections, and Ethics.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending sections 312 and 646a (MCL 168.312 and 168.646a),  
section 312 as amended by 2005 PA 71 and section 646a as amended by  
2004 PA 295.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 312. (1) A school board may submit a ballot question to  
2       the school electors on a regular election date, on a date when a  
3       city or township within the school district's jurisdiction is  
4       holding an election by adopting a resolution to that effect not  
5       ~~later than the time permitted for certification under section~~  
6       ~~646a(2)~~ **LESS THAN 70 DAYS BEFORE THE ELECTION DATE**, or on a  
7       special election date as provided in section 641(4). The school  
8       board shall certify the ballot question language to the school

1 district election coordinator not ~~later than the time permitted~~  
2 ~~for certification under section 646a(2)~~. If the ballot question is  
3 ~~submitted on the same date as an election for a state or county~~  
4 ~~office, the~~ **LESS THAN 70 DAYS BEFORE THE ELECTION DATE. THE** school  
5 district election coordinator shall send a copy of the ballot  
6 question language to the county clerk of each county not less than  
7 68 days before the election.

8 (2) If a special election is called on a date provided under  
9 section 641(4), the school district election coordinating committee  
10 shall schedule the special election date.

11 Sec. 646a. (1) If a local officer is to be elected at a  
12 general November election, candidates for the local office shall be  
13 nominated in the manner provided by law or charter, subject to  
14 sections 641 and 642. If candidates for the local office are to be  
15 nominated at caucuses, the caucuses shall be held on a date before  
16 the date set for the primary election or on the Saturday before the  
17 day of the primary election as determined by the local legislative  
18 body at least 20 days before the date of the caucus. If candidates  
19 are nominated by filing petitions or affidavits, they shall be  
20 filed at a time provided by charter, but not later than the date of  
21 the primary. Except as provided in section 642, the local primary  
22 election shall be held on the same day as a state or county primary  
23 election. If a state or county primary is being held on the same  
24 day, the last day for local candidates to file nominating petitions  
25 is the same as the last date to file petitions for state and county  
26 offices. The names of all local candidates and titles of office  
27 shall be certified to the county clerk by the local clerk within 5

1 days after the last day for filing petitions, and certification of  
2 nominees shall be made to that clerk within 5 days after the date  
3 on which the primary or caucus was held.

4 (2) If a local, school district, or county ballot question is  
5 to be voted on at a regular election date or special election, the  
6 ballot wording of the ballot question shall be certified to the  
7 local or county clerk at least 70 days before the election. If the  
8 wording is certified to a clerk other than the county clerk, the  
9 clerk shall certify the ballot wording to the county clerk at least  
10 68 days before the election. ~~If a local, school district, or~~  
11 ~~county ballot question is to be voted on at a regular election date~~  
12 ~~or special election at which no state or federal offices are to be~~  
13 ~~voted for, the ballot wording of the ballot question shall be~~  
14 ~~certified to the local or county clerk responsible for printing the~~  
15 ~~ballots at least 60 days before the election date.~~ Petitions to  
16 place a county or local ballot question on the ballot at the  
17 election shall be filed with the clerk at least 14 days before the  
18 date the ballot wording must be certified to the local clerk.

19 (3) The provisions of this section apply notwithstanding any  
20 provisions of law or charter to the contrary, unless an earlier  
21 date for the filing of affidavits or petitions, including  
22 nominating petitions, is provided in a law or charter, in which  
23 case the earlier filing date is controlling.

24 Enacting section 1. This amendatory act takes effect January  
25 1, 2007.