

HOUSE BILL No. 6447

September 15, 2010, Introduced by Reps. Hammel and LeBlanc and referred to the Committee on Ethics and Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 24a, 509q, 558, 659, 699, 863, 960, and 968 (MCL 168.24a, 168.509q, 168.558, 168.659, 168.699, 168.863, 168.960, and 168.968), section 24a as amended by 2010 PA 52, sections 509q and 699 as amended by 2005 PA 71, section 558 as amended by 2002 PA 163, section 659 as amended by 2004 PA 296, section 863 as amended by 2003 PA 302, and sections 960 and 968 as amended by 1989 PA 26, and by adding section 17 and chapter XVIIIA.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 17. AS USED IN THIS ACT:

2 (A) "METROPOLITAN DISTRICT" MEANS A DISTRICT INCORPORATED

1 UNDER THE METROPOLITAN DISTRICT ACT, 1929 PA 312, MCL 119.1 TO
2 119.18.

3 (B) "METROPOLITAN DISTRICT ELECTION COORDINATOR" MEANS THE
4 COUNTY CLERK OF THE COUNTY IN WHICH THE LARGEST NUMBER OF
5 REGISTERED ELECTORS OF THE METROPOLITAN DISTRICT RESIDE.

6 Sec. 24a. (1) A 4-member board of county canvassers is
7 established in every county in this state. All of the powers
8 granted to and duties required by law to be performed by all
9 boards of canvassers established by law, other than the board of
10 state canvassers, boards of city canvassers in cities having more
11 than 5 precincts, boards of canvassers in counties having a
12 population of 1,500,000 or more, and boards of township
13 canvassers in townships having more than 5 precincts, are granted
14 to and required to be performed by the board of county
15 canvassers.

16 (2) The board of county canvassers shall conduct all
17 recounts of elections in cities, townships, villages, school
18 districts, **METROPOLITAN DISTRICTS**, or any other districts and be
19 vested with all of the powers and required to perform all the
20 duties in connection with any recount.

21 (3) If a city, village, **METROPOLITAN DISTRICT**, or any other
22 district, other than a school district, lies in more than 1
23 county, and a duty is to be performed by the board of county
24 canvassers, the board of county canvassers in the county in which
25 the greatest number of registered voters of the city, village,
26 **METROPOLITAN DISTRICT** or **OTHER** district resides at the close of
27 registration for the election involved shall perform the duty.

1 (4) Except as otherwise provided in this subsection, if a
2 school district lies in more than 1 county, the board of county
3 canvassers for each county in which a portion of the school
4 district lies shall canvass that portion of a school district
5 election that is held in that county. If a school district
6 election precinct lies in more than 1 county, the board of county
7 canvassers of the county in which the largest number of
8 registered electors of that precinct reside shall canvass the
9 results of that precinct. Notwithstanding the provisions of the
10 preceding 2 sentences, unless the school district election is
11 conducted on the same date as another election in the county, a
12 board of county canvassers that is not responsible for certifying
13 the results of the school district election is not required to
14 meet to canvass the school district election and the board of
15 county canvassers responsible for certifying the results of the
16 school district election shall canvass that portion of the school
17 district election held in that county. Upon completion of the
18 canvass, the clerk of the board of county canvassers shall
19 transmit the canvassed results to the county clerk of the county
20 in which the largest number of registered electors of that school
21 district reside. Upon receipt of the canvassed results, the
22 county clerk of the county in which the largest number of
23 registered electors of that school district reside shall make a
24 statement of returns and certify the results of the school
25 district election to the secretary of the school board.
26 Notwithstanding any of the foregoing provisions of this
27 subsection, if a city or village that lies in more than 1 county

1 conducts an election on the same date as a school district that
2 lies within the city or village that is conducting an election,
3 that portion of the school district election held within that
4 city or village shall be canvassed by the canvassing board
5 responsible for canvassing the city or village election.

6 (5) The cost of canvass of school, **METROPOLITAN DISTRICT**,
7 city, township, and village elections shall be borne by the
8 school district, **METROPOLITAN DISTRICT**, city, township, or
9 village holding the election, and upon presentation of a bill for
10 the costs incurred by the board of county canvassers, the school
11 district, **METROPOLITAN DISTRICT**, city, township, or village shall
12 reimburse the county treasurer.

13 (6) All boards of canvassers provided for in law including
14 boards of school canvassers, the duties of which are by this act
15 required to be performed by boards of county canvassers, are
16 abolished.

17 (7) Members of the board of county canvassers shall be
18 appointed for terms of 4 years beginning on November 1 following
19 their appointment. Of the members first appointed, 1 member of
20 each of the political parties represented on the board of county
21 canvassers shall be appointed for a term of 4 years and 1 for a
22 term of 2 years. The county clerk shall notify members of the
23 board of county canvassers of their appointment within 5 days of
24 being appointed.

25 (8) This section applies to all elections, any charter
26 provision to the contrary notwithstanding.

27

CHAPTER XVIIIA

1 METROPOLITAN DISTRICT ELECTIONS

2 SEC. 385. (1) UNLESS A PARTICULAR POWER OR DUTY OF AN
3 ELECTION OFFICIAL OR A PARTICULAR ELECTION PROCEDURE IS
4 SPECIFICALLY GOVERNED BY A PROVISION OF THIS CHAPTER, A
5 METROPOLITAN DISTRICT ELECTION IS GOVERNED BY THE PROVISIONS OF
6 THIS ACT THAT GENERALLY GOVERN ELECTIONS.

7 (2) THE METROPOLITAN DISTRICT ELECTION COORDINATOR SHALL
8 CONDUCT EACH REGULAR ELECTION THAT IS REQUESTED BY THE
9 LEGISLATIVE BODY OF A METROPOLITAN DISTRICT TO SUBMIT A BALLOT
10 QUESTION OR TO FILL A POSITION OR VACANCY ON THE LEGISLATIVE BODY
11 OF THE METROPOLITAN DISTRICT. THE METROPOLITAN DISTRICT ELECTION
12 COORDINATOR SHALL DO ALL OF THE FOLLOWING:

13 (A) RECEIVE NOMINATING PETITIONS AND AFFIDAVITS OF IDENTITY
14 FROM CANDIDATES FOR OFFICER TO THE LEGISLATIVE BODY OF A
15 METROPOLITAN DISTRICT AND PETITIONS FOR BALLOT QUESTIONS.

16 (B) PROCURE THE NECESSARY QUALIFIED VOTER FILE PRECINCT
17 LISTS.

18 (C) CERTIFY CANDIDATES.

19 (D) RECEIVE BALLOT PROPOSAL LANGUAGE.

20 (E) ISSUE ABSENT VOTER BALLOTS.

21 (3) A METROPOLITAN DISTRICT ELECTION COORDINATOR MAY
22 DELEGATE, IF THE CITY OR TOWNSHIP CLERK AGREES, ALL OR A PORTION
23 OF THE METROPOLITAN DISTRICT ELECTION COORDINATOR'S DUTIES TO
24 THAT CITY OR TOWNSHIP CLERK. THE METROPOLITAN DISTRICT ELECTION
25 COORDINATOR SHALL NOT DELEGATE DUTIES TO ANY PERSON NOT NAMED IN
26 THIS SECTION.

27 (4) A METROPOLITAN DISTRICT ELECTION COORDINATOR MAY

1 DELEGATE THE FOLLOWING DUTIES TO THE CITY OR TOWNSHIP CLERK, WHO
2 SHALL PERFORM THE FOLLOWING DUTIES:

3 (A) DISTRIBUTE, RECEIVE, AND PROCESS ABSENT VOTER BALLOT
4 APPLICATIONS FOR A METROPOLITAN DISTRICT ELECTION.

5 (B) MAKE VOTING SYSTEMS AVAILABLE FOR THE CONDUCT OF A
6 METROPOLITAN DISTRICT ELECTION.

7 (C) MAKE AVAILABLE TO THE METROPOLITAN DISTRICT ELECTION
8 COORDINATOR THE LIST OF ELECTION INSPECTORS FOR THAT CITY OR
9 TOWNSHIP.

10 (D) NOTIFY METROPOLITAN DISTRICT ELECTORS OF PRECINCT AND
11 POLLING PLACE LOCATION CHANGES.

12 (5) THE COUNTY ELECTION COMMISSION SHALL ESTABLISH THAT
13 METROPOLITAN DISTRICT'S ELECTION PRECINCTS AND POLLING PLACE
14 LOCATIONS IN ACCORDANCE WITH THIS ACT.

15 SEC. 385A. (1) AN INDIVIDUAL IS ELIGIBLE FOR ELECTION AS AN
16 OFFICER TO THE LEGISLATIVE BODY OF A METROPOLITAN DISTRICT IF THE
17 INDIVIDUAL IS A CITIZEN OF THE UNITED STATES AND IS A QUALIFIED
18 AND REGISTERED ELECTOR OF THE METROPOLITAN DISTRICT THE
19 INDIVIDUAL SEEKS TO REPRESENT BY THE FILING DEADLINE.

20 (2) A METROPOLITAN DISTRICT OFFICER'S TERM OF OFFICE IS
21 PRESCRIBED BY THE METROPOLITAN DISTRICT ACT, 1929 PA 312, MCL
22 119.1 TO 119.18.

23 SEC. 386. (1) FOR AN INDIVIDUAL'S NAME TO APPEAR ON THE
24 OFFICIAL BALLOT AS A CANDIDATE FOR METROPOLITAN DISTRICT OFFICER,
25 THE CANDIDATE SHALL FILE A NOMINATING PETITION AND THE AFFIDAVIT
26 REQUIRED BY SECTION 558 WITH THE METROPOLITAN DISTRICT ELECTION
27 COORDINATOR NOT LATER THAN 4 P.M. ON THE TWELFTH TUESDAY BEFORE

1 THE ELECTION DATE. THE NOMINATING PETITIONS SHALL BE SIGNED BY A
2 NUMBER OF QUALIFIED AND REGISTERED ELECTORS RESIDING IN THE
3 METROPOLITAN DISTRICT AS DETERMINED UNDER SECTION 544F.

4 (2) THE NOMINATING PETITION SHALL BE SUBSTANTIALLY IN THE
5 FORM PRESCRIBED IN SECTION 544C, EXCEPT THAT THE PETITION SHALL
6 BE NONPARTISAN AND SHALL INCLUDE THE FOLLOWING OPENING PARAGRAPH:

7 WE, THE UNDERSIGNED, REGISTERED AND QUALIFIED VOTERS
8 OF THE CITY OR TOWNSHIP OF _____
9 AND RESIDENTS OF THE _____, THE
10 (LEGAL NAME OF METROPOLITAN DISTRICT)
11 COUNTY OF _____, STATE OF MICHIGAN,
12 NOMINATE _____
13 (NAME OF CANDIDATE)
14 _____,
15 (STREET ADDRESS) (CITY OR TOWNSHIP)

16 A REGISTERED AND QUALIFIED ELECTOR OF THE METROPOLITAN DISTRICT
17 AS AN OFFICER OF THE LEGISLATIVE BODY OF THE METROPOLITAN
18 DISTRICT FOR A TERM OF ____ YEARS, EXPIRING _____, TO BE
19 VOTED FOR AT THE ELECTION TO BE HELD ON THE _____ DAY OF
20 _____,
(MONTH) (YEAR)

21 (3) AN ELECTOR SHALL NOT SIGN PETITIONS FOR MORE CANDIDATES
22 THAN ARE TO BE ELECTED.

23 (4) A NOMINATING PETITION FILED UNDER THIS CHAPTER IS
24 SUBJECT TO THE EXAMINATION AND INVESTIGATION PROCESS PRESCRIBED
25 IN SECTION 552 AS TO ITS SUFFICIENCY AND THE VALIDITY AND
26 GENUINENESS OF THE SIGNATURES ON THE NOMINATING PETITION, AND TO
27 THE OTHER PROCEDURES PRESCRIBED IN THAT SECTION RELEVANT TO A
28 PETITION FILED UNDER THIS CHAPTER.

1 (5) AFTER A NOMINATING PETITION IS FILED FOR A CANDIDATE FOR
2 METROPOLITAN DISTRICT OFFICER, THE CANDIDATE IS NOT PERMITTED TO
3 WITHDRAW UNLESS A WRITTEN WITHDRAWAL NOTICE, SIGNED BY THE
4 CANDIDATE, IS FILED WITH THE METROPOLITAN DISTRICT ELECTION
5 COORDINATOR NOT LATER THAN 4 P.M. OF THE THIRD DAY AFTER THE LAST
6 DAY FOR FILING THE NOMINATING PETITION.

7 SEC. 386A. (1) THE APPROPRIATE BOARD OF CANVASSERS AS
8 PRESCRIBED IN SECTION 24A SHALL CANVASS THE VOTES FOR CANDIDATES
9 FOR METROPOLITAN DISTRICT OFFICER AND VOTES FOR AND AGAINST A
10 BALLOT QUESTION AT A REGULAR ELECTION IN EACH METROPOLITAN
11 DISTRICT. THAT NUMBER OF CANDIDATES EQUAL TO THE NUMBER OF
12 INDIVIDUALS TO BE ELECTED WHO RECEIVE THE GREATEST NUMBER OF
13 VOTES CAST AT THE ELECTION, AS SET FORTH IN THE REPORT OF THE
14 BOARD OF CANVASSERS CANVASSING THE VOTES, BASED UPON THE RETURNS
15 FROM THE ELECTION PRECINCTS OR AS DETERMINED BY THE BOARD OF
16 CANVASSERS AS A RESULT OF A RECOUNT, ARE ELECTED TO THE OFFICE OF
17 METROPOLITAN DISTRICT OFFICER. UPON COMPLETION OF THE CANVASS,
18 THE BOARD OF CANVASSERS SHALL MAKE A STATEMENT OF RETURNS AND
19 CERTIFY THE ELECTION OF METROPOLITAN DISTRICT OFFICERS TO THE
20 METROPOLITAN DISTRICT ELECTION COORDINATOR AND TO THE SECRETARY
21 OF THE LEGISLATIVE BODY OF THE METROPOLITAN DISTRICT.

22 (2) THE VOTES CAST FOR A CANDIDATE FOR METROPOLITAN DISTRICT
23 OFFICER OR ON A BALLOT QUESTION SUBMITTED TO THE ELECTORS AT A
24 METROPOLITAN DISTRICT ELECTION ARE SUBJECT TO RECOUNT AS PROVIDED
25 IN CHAPTER XXXIII.

26 SEC. 386B. THE METROPOLITAN DISTRICT ELECTION COORDINATOR
27 WHO RECEIVES THE CERTIFICATION OF THE BOARD OF CANVASSERS UNDER

1 SECTION 386A SHALL PRESERVE AND FILE IN HIS OR HER OFFICE THE
2 CERTIFIED STATEMENT OF RETURNS AND CERTIFICATION OF THE BOARD OF
3 CANVASSERS OF THE RESULT OF THE ELECTION. THE METROPOLITAN
4 DISTRICT ELECTION COORDINATOR SHALL IMMEDIATELY EXECUTE AND
5 PROVIDE TO THE INDIVIDUALS DECLARED ELECTED AS OFFICERS TO THE
6 LEGISLATIVE BODY OF THE METROPOLITAN DISTRICT A CERTIFICATE OF
7 ELECTION.

8 SEC. 387. WITHIN 5 BUSINESS DAYS AFTER CERTIFICATION OF AN
9 ELECTION, EACH MEMBER-ELECT SHALL BE NOTIFIED OF THE ELECTION.
10 WITHIN 10 BUSINESS DAYS AFTER NOTIFICATION BY THE METROPOLITAN
11 DISTRICT ELECTION COORDINATOR OF ELECTION OR APPOINTMENT TO THE
12 LEGISLATIVE BODY, EACH PERSON SHALL FILE WITH THE SECRETARY OF
13 THE LEGISLATIVE BODY OF THE METROPOLITAN DISTRICT AN ACCEPTANCE
14 OF THE OFFICE TO WHICH THE PERSON HAS BEEN ELECTED OR APPOINTED.
15 THE SECRETARY OF THE LEGISLATIVE BODY OF THE METROPOLITAN
16 DISTRICT SHALL FORWARD A COPY OF THE ACCEPTANCE TO THE
17 METROPOLITAN DISTRICT ELECTION COORDINATOR.

18 SEC. 387A. (1) BEFORE ENTERING UPON THE DUTIES OF HIS OR HER
19 OFFICE, AN INDIVIDUAL ELECTED AS AN OFFICER TO THE LEGISLATIVE
20 BODY OF A METROPOLITAN DISTRICT SHALL TAKE AND SUBSCRIBE TO THE
21 OATH PROVIDED IN SECTION 1 OF ARTICLE XI OF THE STATE
22 CONSTITUTION OF 1963.

23 (2) THE OFFICE OF A METROPOLITAN DISTRICT OFFICER BECOMES
24 VACANT IMMEDIATELY, REGARDLESS OF DECLARATION BY AN OFFICER OR
25 ACCEPTANCE BY THE LEGISLATIVE BODY OF A METROPOLITAN DISTRICT OR
26 1 OR MORE OF ITS OFFICERS, UPON ANY OF THE FOLLOWING EVENTS:

27 (A) THE DEATH OF THE METROPOLITAN DISTRICT OFFICER.

1 (B) THE METROPOLITAN DISTRICT OFFICER'S BEING ADJUDICATED
2 INSANE OR BEING FOUND TO BE A LEGALLY INCAPACITATED INDIVIDUAL BY
3 A COURT OF COMPETENT JURISDICTION.

4 (C) THE METROPOLITAN DISTRICT OFFICER'S RESIGNATION.

5 (D) THE METROPOLITAN DISTRICT OFFICER'S REMOVAL FROM OFFICE.

6 (E) THE METROPOLITAN DISTRICT OFFICER'S CONVICTION FOR A
7 FELONY.

8 (F) THE METROPOLITAN DISTRICT OFFICER'S ELECTION OR
9 APPOINTMENT BEING DECLARED VOID BY A COMPETENT TRIBUNAL.

10 (G) THE METROPOLITAN DISTRICT OFFICER'S NEGLIGENCE OR FAILURE
11 TO FILE THE ACCEPTANCE OF OFFICE, TO TAKE THE OATH OF OFFICE, OR
12 TO GIVE OR RENEW AN OFFICIAL BOND REQUIRED BY LAW.

13 (H) THE METROPOLITAN DISTRICT OFFICER CEASING TO POSSESS THE
14 LEGAL QUALIFICATIONS FOR HOLDING OFFICE.

15 (I) THE METROPOLITAN DISTRICT OFFICER MOVING HIS OR HER
16 RESIDENCE FROM THE METROPOLITAN DISTRICT.

17 SEC. 388. (1) IF LESS THAN A MAJORITY OF THE OFFICES OF
18 METROPOLITAN DISTRICT OFFICER OF A METROPOLITAN DISTRICT BECOME
19 VACANT, THE REMAINING METROPOLITAN DISTRICT OFFICERS SHALL FILL
20 EACH VACANT OFFICE BY APPOINTMENT. IF A VACANCY IN THE OFFICE OF
21 METROPOLITAN DISTRICT OFFICER IS NOT FILLED WITHIN 30 DAYS AFTER
22 THE VACANCY OCCURS OR IF A MAJORITY OF THE OFFICES OF
23 METROPOLITAN DISTRICT OFFICER OF A METROPOLITAN DISTRICT BECOME
24 VACANT, THE COUNTY ELECTION COMMISSION OF THE COUNTY IN WHICH THE
25 LARGEST NUMBER OF REGISTERED ELECTORS OF THE METROPOLITAN
26 DISTRICT RESIDE SHALL FILL EACH VACANCY BY APPOINTMENT. AN
27 INDIVIDUAL APPOINTED UNDER THIS SUBSECTION SERVES UNTIL A

1 SUCCESSOR IS ELECTED AND QUALIFIED.

2 (2) IF A VACANCY OCCURS IN AN OFFICE OF METROPOLITAN
3 DISTRICT OFFICER MORE THAN 90 DAYS BEFORE A REGULAR METROPOLITAN
4 DISTRICT ELECTION, AN ELECTION SHALL BE HELD AT THAT REGULAR
5 METROPOLITAN DISTRICT ELECTION TO FILL THAT OFFICE FOR THE
6 REMAINDER OF THE OFFICER'S UNEXPIRED TERM, IF ANY. THIS
7 SUBSECTION APPLIES REGARDLESS OF WHETHER AN INDIVIDUAL IS
8 APPOINTED UNDER SUBSECTION (1) TO FILL THE VACANCY.

9 (3) WITHIN 3 DAYS AFTER AN APPOINTMENT IS MADE TO FILL A
10 VACANCY IN AN ELECTED OFFICE IN A METROPOLITAN DISTRICT, THE
11 SECRETARY OF THE LEGISLATIVE BODY OF THE METROPOLITAN DISTRICT
12 SHALL NOTIFY THE METROPOLITAN DISTRICT ELECTION COORDINATOR, IN
13 WRITING, OF THE NAME, ADDRESS, AND OFFICE OF THE PERSON WHO
14 VACATED THE OFFICE AS WELL AS THE PERSON FILLING THE OFFICE.

15 SEC. 389. THE LEGISLATIVE BODY OF A METROPOLITAN DISTRICT
16 MAY SUBMIT A BALLOT QUESTION TO THE METROPOLITAN DISTRICT
17 ELECTORS ON A REGULAR ELECTION DATE. THE LEGISLATIVE BODY OF THE
18 METROPOLITAN DISTRICT SHALL CERTIFY THE BALLOT QUESTION LANGUAGE
19 TO THE METROPOLITAN DISTRICT ELECTION COORDINATOR NOT LESS THAN
20 70 DAYS BEFORE THE ELECTION DATE. THE METROPOLITAN DISTRICT
21 ELECTION COORDINATOR SHALL SEND A COPY OF THE BALLOT QUESTION
22 LANGUAGE TO THE COUNTY CLERK OF EACH COUNTY NOT LESS THAN 68 DAYS
23 BEFORE THE ELECTION.

24 SEC. 389A. (1) A METROPOLITAN DISTRICT SHALL PAY TO EACH
25 COUNTY, CITY, AND TOWNSHIP THAT CONDUCTS A REGULAR ELECTION FOR
26 THE METROPOLITAN DISTRICT AN AMOUNT DETERMINED IN ACCORDANCE WITH
27 THIS SECTION.

1 (2) IF A METROPOLITAN DISTRICT'S REGULAR ELECTION IS HELD IN
2 CONJUNCTION WITH ANOTHER ELECTION CONDUCTED BY A COUNTY, CITY, OR
3 TOWNSHIP, THE METROPOLITAN DISTRICT SHALL PAY THE COUNTY, CITY,
4 OR TOWNSHIP 100% OF THE ACTUAL ADDITIONAL COSTS ATTRIBUTABLE TO
5 CONDUCTING THE METROPOLITAN DISTRICT'S REGULAR ELECTION. IF A
6 METROPOLITAN DISTRICT'S REGULAR ELECTION IS NOT HELD IN
7 CONJUNCTION WITH ANOTHER ELECTION CONDUCTED BY A COUNTY, CITY, OR
8 TOWNSHIP, THE METROPOLITAN DISTRICT SHALL PAY THE COUNTY, CITY,
9 OR TOWNSHIP 100% OF THE ACTUAL COSTS OF CONDUCTING THE
10 METROPOLITAN DISTRICT'S REGULAR ELECTION.

11 (3) THE COUNTY, CITY, OR TOWNSHIP SHALL PRESENT TO A
12 METROPOLITAN DISTRICT A VERIFIED ACCOUNT OF ACTUAL COSTS OF
13 CONDUCTING THE METROPOLITAN DISTRICT'S REGULAR ELECTION NOT LATER
14 THAN 84 DAYS AFTER THE DATE OF THE ELECTION. THE LEGISLATIVE BODY
15 OF THE METROPOLITAN DISTRICT SHALL PAY OR DISAPPROVE ALL OR A
16 PORTION OF THE VERIFIED ACCOUNT WITHIN 84 DAYS AFTER THE
17 METROPOLITAN DISTRICT RECEIVES A VERIFIED ACCOUNT OF ACTUAL COSTS
18 UNDER THIS SUBSECTION.

19 (4) IF THE LEGISLATIVE BODY OF THE METROPOLITAN DISTRICT
20 DISAPPROVES ALL OR A PORTION OF A VERIFIED ACCOUNT OF ACTUAL
21 COSTS UNDER SUBSECTION (3), THE LEGISLATIVE BODY OF THE
22 METROPOLITAN DISTRICT SHALL SEND A NOTICE OF DISAPPROVAL ALONG
23 WITH THE REASONS FOR THE DISAPPROVAL TO THE COUNTY, CITY, OR
24 TOWNSHIP. UPON REQUEST OF A COUNTY, CITY, OR TOWNSHIP WHOSE
25 VERIFIED ACCOUNT OR PORTION OF A VERIFIED ACCOUNT WAS DISAPPROVED
26 UNDER THIS SECTION, THE LEGISLATIVE BODY OF THE METROPOLITAN
27 DISTRICT SHALL REVIEW THE DISAPPROVED COSTS WITH THE COUNTY,

1 CITY, OR TOWNSHIP.

2 (5) A LEGISLATIVE BODY OF A METROPOLITAN DISTRICT, COUNTY,
3 CITY, OR TOWNSHIP SHALL USE THE AGREEMENT MADE BETWEEN THE
4 DEPARTMENT OF TREASURY AND THE SECRETARY OF STATE, AS REQUIRED BY
5 SECTION 487, AS A BASIS FOR PREPARING AND EVALUATING VERIFIED
6 ACCOUNTS UNDER THIS SECTION. THE SECRETARY OF STATE SHALL ASSIST
7 A LEGISLATIVE BODY OF A METROPOLITAN DISTRICT, COUNTY, CITY, OR
8 TOWNSHIP IN PREPARING AND EVALUATING A VERIFIED ACCOUNT UNDER
9 THIS SECTION. IF A COUNTY, CITY, OR TOWNSHIP AND THE LEGISLATIVE
10 BODY OF THE METROPOLITAN DISTRICT CANNOT AGREE ON THE ACTUAL
11 COSTS OF AN ELECTION AS PRESCRIBED BY THIS SECTION, THE SECRETARY
12 OF STATE SHALL DETERMINE THOSE ACTUAL COSTS.

13 SEC. 390. EACH OFFICER ON THE LEGISLATIVE BODY OF A
14 METROPOLITAN DISTRICT IS SUBJECT TO RECALL BY THE ELECTORS OF THE
15 METROPOLITAN DISTRICT IN THE MANNER PRESCRIBED IN CHAPTER XXXVI.

16 Sec. 509q. The qualified voter file shall contain all of the
17 following information for each qualified voter:

18 (a) The name; residence address including house number and
19 street name or rural route and box number, and the apartment
20 number, if any; city; state; zip code; and date of birth.

21 (b) The driver's license number or state personal
22 identification card number or similar number issued by a
23 designated voter registration agency.

24 (c) Jurisdictional information including county and city or
25 township; village, if any; **METROPOLITAN DISTRICT, IF ANY;** and
26 school district.

27 (d) Precinct numbers and ward numbers, if any.

1 (e) Any other information that the secretary of state
2 determines is necessary to assess the eligibility of qualified
3 electors or to administer voter registration or other aspects of
4 the election process.

5 (f) Voting history for a 5-year period.

6 (g) The most recent digitized signature of an elector if
7 captured or reproduced by the secretary of state or a county,
8 city, or township clerk from a voter registration application
9 pursuant to section 509hh, or captured or reproduced by the
10 secretary of state pursuant to section 307 of the Michigan
11 vehicle code, 1949 PA 300, MCL 257.307.

12 Sec. 558. (1) When filing a nominating petition, qualifying
13 petition, filing fee, or affidavit of candidacy for a federal,
14 county, state, city, township, village, **METROPOLITAN DISTRICT**, or
15 school district office in any election, a candidate shall file
16 with the officer with whom the petitions, fee, or affidavit is
17 filed 2 copies of an affidavit of identity. A candidate nominated
18 for a federal, state, county, city, township, or village office
19 at a political party convention or caucus shall file an affidavit
20 of identity within 1 business day after being nominated with the
21 secretary of state. The affidavit of identity filing requirement
22 does not apply to a candidate nominated for the office of
23 president of the United States or vice president of the United
24 States.

25 (2) An affidavit of identity shall contain the candidate's
26 name, address, and ward and precinct where registered, if
27 qualified to vote at that election; a statement that the

1 candidate is a citizen of the United States; the candidate's
2 number of years of residence in the state and county; other
3 information that may be required to satisfy the officer as to the
4 identity of the candidate; the manner in which the candidate
5 wishes to have his or her name appear on the ballot; and a
6 statement that the candidate either is or is not using a name,
7 whether a given name, a surname, or otherwise, that is not a name
8 that he or she was given at birth. If a candidate is using a name
9 that is not a name that he or she was given at birth, the
10 candidate shall include on the affidavit of identity the
11 candidate's full former name.

12 (3) The requirement to indicate a name change on the
13 affidavit of identity does not apply if the name in question is 1
14 of the following:

15 (a) A name that was formally changed at least 10 years
16 before filing as a candidate.

17 (b) A name that was changed in a certificate of
18 naturalization issued by a federal district court at the time the
19 individual became a naturalized citizen at least 10 years before
20 filing as a candidate.

21 (c) A name that was changed because of marriage.

22 (d) A name that was changed because of divorce, but only if
23 to a legal name by which the individual was previously known.

24 (4) An affidavit of identity shall include a statement that
25 as of the date of the affidavit, all statements, reports, late
26 filing fees, and fines required of the candidate or any candidate
27 committee organized to support the candidate's election under the

1 Michigan campaign finance act, 1976 PA 388, MCL 169.201 to
2 169.282, have been filed or paid; and a statement that the
3 candidate acknowledges that making a false statement in the
4 affidavit is perjury, punishable by a fine up to \$1,000.00 or
5 imprisonment for up to 5 years, or both. If a candidate files the
6 affidavit of identity with an officer other than the county clerk
7 or secretary of state, the officer shall immediately forward to
8 the county clerk 1 copy of the affidavit of identity by first-
9 class mail. The county clerk shall immediately forward 1 copy of
10 the affidavit of identity for state and federal candidates to the
11 secretary of state by first-class mail. An officer shall not
12 certify to the board of election commissioners the name of a
13 candidate who fails to comply with this section.

14 (5) If petitions or filing fees are filed by or in behalf of
15 a candidate for more than 1 office, either federal, state,
16 county, city, village, township, **METROPOLITAN DISTRICT**, or school
17 district, the terms of which run concurrently or overlap, the
18 candidate so filing, or in behalf of whom petitions or fees were
19 so filed, shall select the 1 office to which his or her candidacy
20 is restricted within 3 days after the last day for the filing of
21 petitions or filing fees unless the petitions or filing fees are
22 filed for 2 offices that are combined or for offices that are not
23 incompatible. Failure to make the selection disqualifies a
24 candidate with respect to each office for which petitions or fees
25 were so filed and the name of the candidate shall not be printed
26 upon the ballot for those offices. A vote cast for that candidate
27 at the ensuing primary or general election shall not be counted

1 and is void.

2 Sec. 659. (1) If a county, city, ward, township, village,
3 **METROPOLITAN DISTRICT**, or school district is divided into 2 or
4 more election precincts, the county, city, ward, township, or
5 village election commissioners may, by resolution, consolidate
6 the election precincts for a particular election that is not a
7 general November election, primary election immediately before a
8 general November election, or other statewide or federal
9 election. In making the determination to consolidate election
10 precincts for a particular election, the election commission
11 shall take into consideration the number of choices the voter
12 must make, the percentage of registered voters who voted at the
13 last similar election in the jurisdiction, and the intensity of
14 the interest of the electors in the jurisdiction concerning the
15 candidates and proposals to be voted upon. Consolidated precincts
16 shall not exceed 5,000 registered electors.

17 (2) A consolidation under this section shall be made not
18 less than 60 days before a primary, general, or special election.

19 (3) Unless the polling places for the election precincts to
20 be consolidated are located in the same building, when a county,
21 city, ward, township, or village consolidates election precincts
22 for a particular election under subsection (1), the election
23 commissioners or other designated election officials shall do
24 both of the following:

25 (a) Provide notice to the registered electors of the
26 affected election precincts of the consolidation of election
27 precincts for the particular election and the location of the

1 polling place for the election precinct or precincts for that
2 election. Notice may be provided by mail or other method designed
3 to provide actual notice to the registered electors.

4 (b) Post a written notice at each election precinct polling
5 place stating the location of the consolidated election precinct
6 polling place.

7 (4) If a county, city, ward, township, or village
8 consolidates election precincts under this section, each affected
9 election precinct shall be treated as a whole unit and shall not
10 be divided during the consolidation.

11 Sec. 699. At any regular election, the names of the several
12 nonpartisan offices to be voted for shall be placed on a separate
13 portion of the ballot containing no party designation in the
14 following order: justices of the supreme court, judges of the
15 court of appeals, judges of the circuit court, judges of the
16 probate court, judges of the district court, city officers, the
17 following village officers in substantially the following order
18 in the year in which elections for the offices are held:
19 president, clerk, treasurer, and trustees, and in a year in which
20 an election for the office is held, local school district board
21 member, community college board of trustees member, intermediate
22 school district board member, **METROPOLITAN DISTRICT OFFICER**, and
23 district library board member.

24 Sec. 863. A qualified and registered elector voting in a
25 city, township, or village election who believes there has been
26 fraud or error committed by the inspectors of election in its
27 canvass or returns of the votes cast at the election, upon a

1 proposed amendment to the charter of the city or village or other
2 ballot question submitted to the voters of the county, city,
3 township, school district, community college district,
4 **METROPOLITAN DISTRICT**, or village, may petition for a recount of
5 the votes cast in any precinct or precincts of that county, city,
6 township, school district, community college district,
7 **METROPOLITAN DISTRICT**, or village, upon that proposed amendment
8 or other ballot question as provided in this chapter.

9 Sec. 960. (1) A petition demanding the recall of an elective
10 county commissioner or township, city, village, or school
11 official shall be filed with the county clerk of the county in
12 which the largest portion of the registered voters in the
13 electoral district reside.

14 (2) A petition demanding the recall of an elective district
15 library board member shall be filed with the clerk of the largest
16 county. For the purposes of this subsection, the term "largest"
17 has the meaning ascribed to it in section 2 of the district
18 library establishment act, 1989 PA 24, MCL 397.172.

19 **(3) A PETITION DEMANDING THE RECALL OF AN ELECTIVE**
20 **METROPOLITAN DISTRICT OFFICER SHALL BE FILED WITH THE COUNTY**
21 **CLERK OF THE COUNTY IN WHICH THE LARGEST PORTION OF THE**
22 **REGISTERED VOTERS IN THE ELECTORAL DISTRICT RESIDE.**

23 Sec. 968. If a petition is filed under section 960, the
24 board of county canvassers in the county where the petition is
25 filed shall conduct the canvass of the recall election. The
26 canvass of other recall elections shall be by the board of state
27 canvassers. If a board of canvassers determines that a majority

1 of the votes are in favor of recall, the board of canvassers
2 immediately upon the determination shall certify the result to
3 the officer with whom the recall petition was filed. Upon
4 certification, the office is vacant. The officer with whom the
5 recall petition was filed shall immediately upon receipt of the
6 certification notify the clerk or secretary of the electoral
7 district or, if the electoral district is a district library
8 district, the district library board from which the official was
9 recalled **OR, IF THE ELECTORAL DISTRICT IS A METROPOLITAN**
10 **DISTRICT, THE LEGISLATIVE BODY OF THE METROPOLITAN DISTRICT FROM**
11 **WHICH THE OFFICIAL WAS RECALLED** and the recalled official of the
12 results of the recall election and the date and time of the
13 certification.

14 Enacting section 1. This amendatory act does not take effect
15 unless Senate Bill No.____ or House Bill No. 6446(request no.
16 07314'10) of the 95th Legislature is enacted into law.