

SUBSTITUTE FOR

HOUSE BILL NO. 4121

(As amended December 14, 2012)

<<A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 24a, 509q, 558, 659, 863, and 960
(MCL 168.24a, 168.509q, 168.558, 168.659, 168.863, and
168.960), section 24a as amended by 2010 PA 52,
section 509q as amended by 2005 PA 71, section 558 as
amended by 2012 PA 128, section 659 as amended by 2012 PA 270,
section 863 as amended by 2003 PA 302, and section 960
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**
3 **UNDER THE METROPOLITAN DISTRICT ACT, 1929 PA 312, MCL 119.1 TO**

1 119.18.

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

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

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

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

27 (4) Except as otherwise provided in this subsection, if a

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

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

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

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

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

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

26 **CHAPTER XVIIIA**

27 **METROPOLITAN DISTRICT ELECTIONS**

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

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

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

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

17 (C) CERTIFY CANDIDATES.

18 (D) RECEIVE BALLOT PROPOSAL LANGUAGE.

19 (E) ISSUE ABSENT VOTER BALLOTS.

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

26 (4) A METROPOLITAN DISTRICT ELECTION COORDINATOR MAY
27 DELEGATE THE FOLLOWING DUTIES TO THE CITY OR TOWNSHIP CLERK, WHO

1 SHALL PERFORM THE FOLLOWING DUTIES:

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

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

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

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

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

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

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

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

1 NUMBER OF QUALIFIED AND REGISTERED ELECTORS RESIDING IN THE
2 METROPOLITAN DISTRICT AS DETERMINED UNDER SECTION 544F.

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

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

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

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

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

28 (5) AFTER A NOMINATING PETITION IS FILED FOR A CANDIDATE FOR

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

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

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

25 SEC. 386B. THE METROPOLITAN DISTRICT ELECTION COORDINATOR
26 WHO RECEIVES THE CERTIFICATION OF THE BOARD OF CANVASSERS UNDER
27 SECTION 386A SHALL PRESERVE AND FILE IN HIS OR HER OFFICE THE

1 CERTIFIED STATEMENT OF RETURNS AND CERTIFICATION OF THE BOARD OF
2 CANVASSERS OF THE RESULT OF THE ELECTION. THE METROPOLITAN
3 DISTRICT ELECTION COORDINATOR SHALL IMMEDIATELY EXECUTE AND
4 PROVIDE TO THE INDIVIDUALS DECLARED ELECTED AS OFFICERS TO THE
5 LEGISLATIVE BODY OF THE METROPOLITAN DISTRICT A CERTIFICATE OF
6 ELECTION.

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

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

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

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

27 (B) THE METROPOLITAN DISTRICT OFFICER'S BEING ADJUDICATED

1 INSANE OR BEING FOUND TO BE A LEGALLY INCAPACITATED INDIVIDUAL BY
2 A COURT OF COMPETENT JURISDICTION.

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

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

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

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

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

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

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

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

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

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

14 SEC. 389. THE LEGISLATIVE BODY OF A METROPOLITAN DISTRICT
15 MAY SUBMIT A BALLOT QUESTION TO THE METROPOLITAN DISTRICT
16 ELECTORS ON A REGULAR ELECTION DATE. THE LEGISLATIVE BODY OF THE
17 METROPOLITAN DISTRICT SHALL FILE THE BALLOT QUESTION WITH THE
18 METROPOLITAN DISTRICT ELECTION COORDINATOR AS PROVIDED IN SECTION
19 646A(2).

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

24 (2) IF A METROPOLITAN DISTRICT'S REGULAR ELECTION IS HELD IN
25 CONJUNCTION WITH ANOTHER ELECTION CONDUCTED BY A COUNTY, CITY, OR
26 TOWNSHIP, THE METROPOLITAN DISTRICT SHALL PAY THE COUNTY, CITY,
27 OR TOWNSHIP 100% OF THE ACTUAL ADDITIONAL COSTS ATTRIBUTABLE TO

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

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

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

25 (5) A LEGISLATIVE BODY OF A METROPOLITAN DISTRICT, COUNTY,
26 CITY, OR TOWNSHIP SHALL USE THE AGREEMENT MADE BETWEEN THE
27 DEPARTMENT OF TREASURY AND THE SECRETARY OF STATE, AS REQUIRED BY

1 SECTION 487, AS A BASIS FOR PREPARING AND EVALUATING VERIFIED
2 ACCOUNTS UNDER THIS SECTION. THE SECRETARY OF STATE SHALL ASSIST
3 A LEGISLATIVE BODY OF A METROPOLITAN DISTRICT, COUNTY, CITY, OR
4 TOWNSHIP IN PREPARING AND EVALUATING A VERIFIED ACCOUNT UNDER
5 THIS SECTION. IF A COUNTY, CITY, OR TOWNSHIP AND THE LEGISLATIVE
6 BODY OF THE METROPOLITAN DISTRICT CANNOT AGREE ON THE ACTUAL
7 COSTS OF AN ELECTION AS PRESCRIBED BY THIS SECTION, THE SECRETARY
8 OF STATE SHALL DETERMINE THOSE ACTUAL COSTS.

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

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

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

17 (b) The driver's license number or state personal
18 identification card number or similar number issued by a
19 designated voter registration agency.

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

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

24 (e) Any other information that the secretary of state
25 determines is necessary to assess the eligibility of qualified
26 electors or to administer voter registration or other aspects of
27 the election process.

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

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

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

21 (2) An affidavit of identity shall contain the candidate's
22 name, address, and ward and precinct where registered, if
23 qualified to vote at that election; a statement that the
24 candidate is a citizen of the United States; the candidate's
25 number of years of residence in the state and county; other
26 information that may be required to satisfy the officer as to the
27 identity of the candidate; the manner in which the candidate

1 wishes to have his or her name appear on the ballot; and a
2 statement that the candidate either is or is not using a name,
3 whether a given name, a surname, or otherwise, that is not a name
4 that he or she was given at birth. If a candidate is using a name
5 that is not a name that he or she was given at birth, the
6 candidate shall include on the affidavit of identity the
7 candidate's full former name.

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

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

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

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

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

20 (4) An affidavit of identity shall include a statement that
21 as of the date of the affidavit, all statements, reports, late
22 filing fees, and fines required of the candidate or any candidate
23 committee organized to support the candidate's election under the
24 Michigan campaign finance act, 1976 PA 388, MCL 169.201 to
25 169.282, have been filed or paid; and a statement that the
26 candidate acknowledges that making a false statement in the
27 affidavit is perjury, punishable by a fine up to \$1,000.00 or

1 imprisonment for up to 5 years, or both. If a candidate files the
2 affidavit of identity with an officer other than the county clerk
3 or secretary of state, the officer shall immediately forward to
4 the county clerk 1 copy of the affidavit of identity by first-
5 class mail. The county clerk shall immediately forward 1 copy of
6 the affidavit of identity for state and federal candidates to the
7 secretary of state by first-class mail. An officer shall not
8 certify to the board of election commissioners the name of a
9 candidate who fails to comply with this section.

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

25 Sec. 659. (1) If a county, city, ward, township, village,
26 **METROPOLITAN DISTRICT**, or school district is divided into 2 or
27 more election precincts, the county, city, ward, township, or

1 village election commissioners may, by resolution, consolidate
2 the election precincts for a particular election that is not a
3 general November election, primary election immediately before a
4 general November election, or other statewide or federal
5 election. In making the determination to consolidate election
6 precincts for a particular election, the election commission
7 shall take into consideration the number of choices the voter
8 must make, the percentage of registered voters who voted at the
9 last similar election in the jurisdiction, and the intensity of
10 the interest of the electors in the jurisdiction concerning the
11 candidates and proposals to be voted upon. Consolidated precincts
12 shall not exceed 5,000 registered electors.

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

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

21 (a) Provide notice to the registered electors of the
22 affected election precincts of the consolidation of election
23 precincts for the particular election and the location of the
24 polling place for the election precinct or precincts for that
25 election. Notice may be provided by mail or other method designed
26 to provide actual notice to the registered electors.

27 (b) Post a written notice at each election precinct polling

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1 place stating the location of the consolidated election precinct
2 polling place.

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

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20 Sec. 863. A qualified and registered elector voting in a
21 city, township, or village election who believes there has been
22 fraud or error committed by the inspectors of election in its
23 canvass or returns of the votes cast at the election, upon a
24 proposed amendment to the charter of the city or village or other
25 ballot question submitted to the voters of the county, city,
26 township, school district, community college district,
27 **METROPOLITAN DISTRICT**, or village, may petition for a recount of

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1 the votes cast in any precinct or precincts of that county, city,
2 township, school district, community college district,
3 **METROPOLITAN DISTRICT**, or village, upon that proposed amendment
4 or other ballot question as provided in this chapter.

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

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

15 **(3) A PETITION DEMANDING THE RECALL OF AN ELECTIVE**
16 **METROPOLITAN DISTRICT OFFICER SHALL BE FILED WITH THE COUNTY**
17 **CLERK OF THE COUNTY IN WHICH THE LARGEST PORTION OF THE**
18 **REGISTERED VOTERS IN THE ELECTORAL DISTRICT RESIDE.**

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10 Enacting section 1. This amendatory act does not take effect
11 unless House Bill No. 4122 of the 96th Legislature is enacted
12 into law.