

**SUBSTITUTE FOR
SENATE BILL NO. 823**

(As amended June 12, 2012)

[A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 22e, 32, 53, 55, 56, 93, 95, 96, 133, 135, 136,
163, 165, 166, 193, 195, 196, 198, 224, 226, 227, 254, 255, 257, 303,
322, 326, 349, 352, 354, 357, 381, 409b, 413, 413a, 426d, 433, 433a,
467b, 467c, 477, 480, 551, 624, 644e, 644f, 712, 737a, and
973 (MCL 168.22e, 168.32, 168.53, 168.55, 168.56, 168.93, 168.95,
168.96, 168.133, 168.135, 168.136, 168.163, 168.165, 168.166, 168.193,
168.195, 168.196, 168.198, 168.224, 168.226, 168.227, 168.254, 168.255,
168.257, 168.303, 168.322, 168.326, 168.349, 168.352, 168.354,
168.357, 168.381, 168.409b, 168.413, 168.413a, 168.426d, 168.433,
168.433a, 168.467b, 168.467c, 168.477, 168.480, 168.551, 168.624,
168.644e, 168.644f, 168.712, 168.737a, and 168.973),

Senate Bill No. 823 (S-2) as amended June 12, 2012
 section 22e as added by 1995 PA 261, sections 53,
 163, 193, 224, 254, 349, 409b, 413a, 426d, 433a,
 467c, 624, and 644f as amended by 1999 PA 218, sections 93 and
 133 as amended by 2000 PA 491, section 165 as amended by 1994 PA
 152, section 303 as added by 2003 PA 302, section 322 as amended
 by 2010 PA 183, section 381 as amended by 2010 PA 184, section
 413 as amended by 2009 PA 206, section 433 as amended by 2009 PA
 208, section 467b as amended by 2009 PA 207, section 477 as amended by
 1999 PA 219, section 551 as amended by 1990 PA 7,
 section 644e as amended by 2010 PA 44, and section
 737a as amended by 2006 PA 87, and by adding sections 483a, 932c, and
 932e; and to repeal acts and parts of acts.]

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

[Sec. 22e. (1) The board of state canvassers shall meet to consider and approve a statement of the purpose of a proposed constitutional amendment or other ballot question prepared pursuant to ~~sections~~ **SECTION 32. And 474.** The board of state canvassers shall give not less than 3 full business days' notice to the public of a meeting held under this subsection. The board of state canvassers shall also give not less than 3 full business days' notice to all of the following:

(a) The legally or generally recognized sponsor of the proposed constitutional amendment or other ballot question, if any.

(b) The legislative sponsor of the proposed constitutional amendment or ballot question, if any.

(c) The senate majority leader.

(d) The speaker of the house of representatives.

(e) The minority leaders of the senate and the house of representatives.

(f) A legislator who does not receive notice under subdivisions (c), (d), or (e).

(2) The board of state canvassers shall publicly request and allow a person described in subsection (1)(a) or (b), or a representative of that person, to address a meeting held under this section.

Sec. 32. (1) ~~There is hereby continued in~~ **IN** the office of the secretary of state, the bureau of elections created by ~~Act No. 65 of the Public Acts of 1951,~~ **FORMER 1951 PA 65 CONTINUES** under the supervision of a director of elections, to be appointed by the secretary of state under civil service regulations. The director of elections shall be vested with the powers and shall perform the duties of the secretary of state under his **OR HER** supervision, with respect to the supervision and administration of the election laws. The director of elections shall be a nonmember secretary of the state board of canvassers.

(2) The director of elections, with the approval of the state board of canvassers, shall prepare a statement for designation on the ballot in

Senate Bill No. 823 (S-2) as amended June 12, 2012
 not more than 100 words, exclusive of caption, of the purpose of any
 proposed amendment or question ~~to be submitted to the electors as~~
 required under **SECTION 9 OF ARTICLE II, SECTION 34 OF ARTICLE IV, OR**
 section 1 OR 2 of article ~~12~~-XII of the state constitution OF 1963. **THE**
STATEMENT SHALL CONSIST OF A TRUE AND IMPARTIAL STATEMENT OF THE PURPOSE
OF THE AMENDMENT OR QUESTION IN SUCH LANGUAGE AS SHALL CREATE NO
PREJUDICE FOR OR AGAINST THE PROPOSED AMENDMENT OR QUESTION. The powers
 and duties of the state board of canvassers and the secretary of state
 with respect to the preparation of ~~such~~-**THE** statement are hereby
 transferred to the director of elections. **THE SECRETARY OF STATE SHALL**
CERTIFY THE STATEMENT OF THE PURPOSE OF ANY PROPOSED AMENDMENT OR
QUESTION TO BE SUBMITTED TO THE ELECTORS NOT LATER THAN 60 DAYS BEFORE
THE DATE OF THE ELECTION.]

1 Sec. 53. To obtain the printing of the name of a person as a
 2 candidate for nomination by a political party for the office of
 3 governor under a particular party heading upon the official
 4 primary ballots, there shall be filed with the secretary of state
 5 nominating petitions signed by a number of qualified and
 6 registered electors residing in this state as determined under
 7 section 544f. Nominating petitions shall be signed by at least
 8 100 registered resident electors in each of at least 1/2 of the
 9 congressional districts of the state. Nominating petitions shall
 10 be in the form as prescribed in section 544c. ~~Nominating~~-**UNTIL**
 11 **DECEMBER 31, 2013, NOMINATING** petitions shall be received by the
 12 secretary of state for filing in accordance with this act up to 4
 13 p.m. of the twelfth Tuesday ~~preceeding~~-**BEFORE** the August primary.
 14 **BEGINNING JANUARY 1, 2014, NOMINATING PETITIONS SHALL BE RECEIVED**

1 BY THE SECRETARY OF STATE FOR FILING IN ACCORDANCE WITH THIS ACT
 2 UP TO 4 P.M. OF THE FIFTEENTH TUESDAY BEFORE THE AUGUST PRIMARY.

3 Sec. 55. If, for any reason, there is no candidate of a
 4 political party for the office of governor or lieutenant
 5 governor, a blank space shall be provided on each of the official
 6 primary ballots ~~which will afford~~ **THAT AFFORDS** every elector of
 7 ~~said~~ **THE POLITICAL** party an opportunity to vote for a candidate
 8 for ~~such~~ **THOSE** offices by writing in the name of his or her
 9 selection. ~~or by the use of a slip or paster.~~

10 Sec. 56. ~~When any~~ **IF A** candidate of a political party for
 11 the office of governor, after having qualified as a candidate,
 12 ~~shall die,~~ **DIES** after the time specified for filing in section
 13 53, leaving ~~such~~ **THE POLITICAL** party without a candidate for ~~such~~
 14 **THAT** office, a candidate to fill the vacancy ~~thereby caused~~ may
 15 be selected by the state central committee of ~~such~~ **THAT POLITICAL**
 16 party, and the name of the candidate ~~so~~ selected shall be
 17 transmitted to the county officers ~~required~~ by law to print and
 18 distribute ballots. The name of ~~such~~ **THE** candidate shall be
 19 printed on the ballot, but if the primary ballots have been
 20 printed, the county officers shall ~~cause to be printed a~~
 21 ~~sufficient number of gummed labels or stickers bearing the name~~
 22 ~~of such candidate, which~~ **HAVE THE BALLOTS REPRINTED WITH THE**
 23 **CANDIDATE'S NAME ON THE BALLOTS AND THE REPRINTED BALLOTS** shall
 24 be distributed to the various voting precincts in their
 25 respective counties. ~~and the board of election inspectors of~~
 26 ~~each such precinct shall cause 1 of such stickers to be placed on~~
 27 ~~each ballot, over the name of the candidate who has died, before~~

1 ~~such ballot is handed to the elector.~~

2 Sec. 93. In order for the name of a person as a candidate
3 for nomination by a political party for the office of United
4 States senator to appear under a particular party heading on the
5 official primary ballot, a nominating petition shall be filed
6 with the secretary of state. The nominating petition shall have
7 been signed by a number of qualified and registered electors
8 residing within this state as determined under section 544f. The
9 nominating petition shall be signed by at least 100 qualified and
10 registered electors in each of at least 1/2 of the congressional
11 districts of this state. Nominating petitions shall be in the
12 form as prescribed in section 544c. ~~The~~ **UNTIL DECEMBER 31, 2013,**
13 **THE** nominating petition shall be filed with the secretary of
14 state no later than 4 p.m. of the twelfth Tuesday before the
15 August primary. **BEGINNING JANUARY 1, 2014, THE NOMINATING**
16 **PETITION SHALL BE FILED WITH THE SECRETARY OF STATE NO LATER THAN**
17 **4 P.M. OF THE FIFTEENTH TUESDAY BEFORE THE AUGUST PRIMARY.**

18 Sec. 95. ~~When any~~ **IF A** candidate of a political party for
19 the office of United States senator, after having qualified as a
20 candidate, ~~shall die,~~ **DIES** after the last day for qualifying,
21 leaving ~~such~~ **THE POLITICAL** party without a candidate for the
22 office of United States senator, a candidate to fill the vacancy
23 ~~thereby caused~~ may be selected by the state central committee and
24 the name of the candidate ~~so~~ selected shall be transmitted to the
25 secretary of state and to the county officials required by law to
26 print and distribute ballots. ~~and such~~ **THE NAME OF THE**
27 **CANDIDATE SHALL BE PRINTED ON THE BALLOTS, BUT IF THE BALLOTS**

1 ~~HAVE BEEN PRINTED, THE~~ county officials shall ~~cause to be printed~~
 2 ~~a sufficient number of gummed labels or stickers bearing the name~~
 3 ~~of the candidate, which~~ **HAVE THE BALLOTS REPRINTED WITH THE**
 4 **CANDIDATE'S NAME ON THE BALLOTS AND THE REPRINTED BALLOTS** shall
 5 be distributed to the various voting precincts within their
 6 respective counties. ~~, and the board of election inspectors of~~
 7 ~~each such precinct shall cause 1 of such stickers to be placed on~~
 8 ~~each ballot over the name of the candidate who has died before~~
 9 ~~such ballot is handed to the elector.~~

10 Sec. 96. If for any reason there is no candidate of a
 11 political party for the office of United States senator, a blank
 12 space shall be provided on each of the official primary ballots
 13 ~~which will afford~~ **THAT AFFORDS** every elector of ~~said~~ **THE**
 14 **POLITICAL** party an opportunity to vote for a candidate for ~~such~~
 15 **THAT** office by writing in the name of his or her selection. ~~or by~~
 16 ~~the use of a slip or paster.~~

17 Sec. 133. In order for the name of a person as a candidate
 18 for nomination by a political party for the office of
 19 representative in congress to appear under a particular party
 20 heading on the official primary ballot in the election precincts
 21 of a congressional district, a nominating petition shall have
 22 been signed by a number of qualified and registered electors
 23 residing in the district as determined under section 544f. ~~If~~
 24 **UNTIL DECEMBER 31, 2013, IF** the congressional district comprises
 25 more than 1 county, the nominating petition shall be filed with
 26 the secretary of state no later than 4 p.m. of the twelfth
 27 Tuesday before the August primary. ~~If~~ **BEGINNING JANUARY 1, 2014,**

1 IF THE CONGRESSIONAL DISTRICT COMPRISES MORE THAN 1 COUNTY, THE
 2 NOMINATING PETITION SHALL BE FILED WITH THE SECRETARY OF STATE NO
 3 LATER THAN 4 P.M. OF THE FIFTEENTH TUESDAY BEFORE THE AUGUST
 4 PRIMARY. UNTIL DECEMBER 31, 2013, IF the congressional district
 5 is within 1 county, the nominating petition shall be filed with
 6 the county clerk of that county no later than 4 p.m. of the
 7 twelfth Tuesday before the August primary. BEGINNING JANUARY 1,
 8 2014, IF THE CONGRESSIONAL DISTRICT IS WITHIN 1 COUNTY, THE
 9 NOMINATING PETITION SHALL BE FILED WITH THE COUNTY CLERK OF THAT
 10 COUNTY NO LATER THAN 4 P.M. OF THE FIFTEENTH TUESDAY BEFORE THE
 11 AUGUST PRIMARY. Nominating petitions shall be in the form as
 12 prescribed in section 544c.

13 Sec. 135. ~~When any~~ IF A candidate of a political party for
 14 the office of representative in congress, after having qualified
 15 as a candidate, ~~shall die,~~ DIES after the last day for
 16 qualifying, leaving ~~such~~ THE POLITICAL party without a candidate
 17 for the office of representative in congress, a candidate to fill
 18 the vacancy ~~thereby caused~~ may be selected by 3 delegates elected
 19 by a majority of the precinct delegates and nominees for state
 20 representative and state senator in a state representative or
 21 state senatorial district of the candidate's political party from
 22 within the boundaries of the congressional district. ~~In case said~~
 23 IF THE district comprises more than 1 county, the meeting shall
 24 be called and conducted by the ~~chairman~~ CHAIRPERSON of the state
 25 central committee or his OR HER authorized representative. ~~the~~
 26 THE name of the candidate ~~so~~ selected shall be transmitted to the
 27 county officials required by law to print and distribute ballots.

1 ~~, and such~~ **THE NAME OF THE CANDIDATE SHALL BE PRINTED ON THE**
2 **BALLOTS, BUT IF THE BALLOTS HAVE BEEN PRINTED, THE** county
3 officials shall ~~cause to be printed a sufficient number of gummed~~
4 ~~labels or stickers bearing the name of the candidate, which~~ **HAVE**
5 **THE BALLOTS REPRINTED WITH THE CANDIDATE'S NAME ON THE BALLOTS**
6 **AND THE REPRINTED BALLOTS** shall be distributed to the various
7 voting precincts within their respective counties. ~~The board of~~
8 ~~election inspectors of each such precinct shall cause 1 of such~~
9 ~~stickers to be placed on each ballot, over the name of the~~
10 ~~candidate who has died, before such ballot is handed to the~~
11 ~~elector.~~

12 Sec. 136. If for any reason there is no candidate of a
13 political party for the office of representative in congress, a
14 blank space shall be provided on each of the official primary
15 ballots ~~which will afford~~ **THAT AFFORDS** every elector of said ~~THE~~
16 **POLITICAL** party an opportunity to vote for a candidate for ~~such~~
17 **THAT** office by writing in the name of his or her selection. ~~or by~~
18 ~~the use of a slip or paster.~~

19 Sec. 163. (1) To obtain the printing of the name of a person
20 as a candidate for nomination by a political party for the office
21 of state senator or representative under a particular party
22 heading upon the official primary ballots in the various election
23 precincts of a district, there shall be filed nominating
24 petitions signed by a number of qualified and registered electors
25 residing in the district as determined under section 544f. If the
26 district comprises more than 1 county, the nominating petitions
27 shall be filed with the secretary of state. If the district

1 comprises 1 county or less, the nominating petitions shall be
2 filed with the county clerk of that county. Nominating petitions
3 shall be in the form prescribed in section 544c. ~~The~~**UNTIL**
4 **DECEMBER 31, 2013, THE** secretary of state and the various county
5 clerks shall receive nominating petitions for filing in
6 accordance with this act up to 4 p.m. of the twelfth Tuesday
7 ~~preceding~~**BEFORE** the August primary. **BEGINNING JANUARY 1, 2014,**
8 **THE SECRETARY OF STATE AND THE VARIOUS COUNTY CLERKS SHALL**
9 **RECEIVE NOMINATING PETITIONS FOR FILING IN ACCORDANCE WITH THIS**
10 **ACT UP TO 4 P.M. OF THE FIFTEENTH TUESDAY BEFORE THE AUGUST**
11 **PRIMARY.**

12 (2) In lieu of filing a nominating petition, a filing fee of
13 \$100.00 may be paid to the county clerk or, for a candidate in a
14 district comprising more than 1 county, to the secretary of
15 state. Payment of the fee and certification of the name of the
16 candidate paying the fee shall be governed by the same provisions
17 as in the case of nominating petitions. The fee shall be
18 deposited in the general fund of the county and shall be refunded
19 to candidates who are nominated and to an equal number of
20 candidates who receive the next highest number of votes in the
21 primary election. If 2 or more candidates tie in having the
22 lowest number of votes allowing a refund, the sum of \$100.00
23 shall be divided among them. A refund of a deposit shall not be
24 made to a candidate who withdraws as a candidate.

25 Sec. 165. ~~(1) Except as otherwise provided in subsection~~
26 ~~(2), if~~**IF** a candidate of a political party for the office of
27 state senator or state representative, as applicable, after

1 having qualified as a candidate, dies after the last day for
2 qualifying as a candidate, leaving the political party without a
3 candidate for the office of state senator or state
4 representative, a candidate to fill the vacancy caused by the
5 death may be selected by 3 delegates elected by a majority of the
6 precinct delegates and nominees for state representative and
7 state senator of the candidate's political party from within the
8 senatorial or representative district. However, if the senatorial
9 or representative district comprises more than 1 county, the
10 meeting shall be called and conducted by the chairperson of the
11 state central committee or his or her authorized representative.
12 The name of the candidate selected ~~pursuant to~~ **UNDER** this
13 subsection shall be transmitted to the county officials required
14 by law to print and distribute ballots. The county officials
15 shall print the name of the candidate selected ~~pursuant to~~ **UNDER**
16 this section on the ballot in place of the deceased candidate, or
17 if the ballots are already printed, ~~cause to be printed a~~
18 ~~sufficient number of gummed labels or stickers bearing the name~~
19 ~~of the selected candidate. The county officials shall distribute~~
20 ~~the gummed labels or stickers, if any,~~ **HAVE THE BALLOTS REPRINTED**
21 **WITH THE CANDIDATE'S NAME ON THE BALLOTS AND THE REPRINTED**
22 **BALLOTS SHALL BE DISTRIBUTED** to the various voting precincts
23 within their respective county. ~~The board of election inspectors~~
24 ~~or authorized representatives of the city or township election~~
25 ~~commission of each precinct shall cause 1 of the gummed labels or~~
26 ~~stickers to be placed on each ballot, over the name of the~~
27 ~~candidate who has died, before the ballot is handed to the~~

1 elector.

2 ~~—— (2) If an incumbent state senator or state representative~~
3 ~~who has filed as a candidate for the same office in a district~~
4 ~~comprising all or a part of the district that the incumbent~~
5 ~~represents dies on the last day to file as a candidate under~~
6 ~~section 163 or within 14 days after the last day to file as a~~
7 ~~candidate, the filing deadline shall be extended and all of the~~
8 ~~following requirements apply:~~

9 ~~—— (a) Not later than 1 business day after the effective date~~
10 ~~of this subsection or not later than 1 business day after the~~
11 ~~date of the death of the incumbent candidate, whichever is later,~~
12 ~~the secretary of the senate or the clerk of the house, as~~
13 ~~applicable, shall notify the secretary of state of the death of~~
14 ~~the incumbent candidate. If candidates for the vacant office are~~
15 ~~required to file with the county clerk, the secretary of state~~
16 ~~shall immediately notify the county clerk of the death of the~~
17 ~~incumbent candidate.~~

18 ~~—— (b) Upon receipt of the notification under subdivision (a),~~
19 ~~the appropriate filing official shall remove the deceased~~
20 ~~incumbent's name from the list of candidates for that office. The~~
21 ~~filing official shall accept additional filings for that office~~
22 ~~up to 4 p.m. of the next business day immediately after the day~~
23 ~~that the filing official received the notification under~~
24 ~~subdivision (a).~~

25 ~~—— (c) Notwithstanding any other provision of this act to the~~
26 ~~contrary, the following apply to candidates who file for an~~
27 ~~office pursuant to this subsection:~~

1 ~~—— (i) A candidate who files for an office pursuant to this~~
 2 ~~subsection shall not be permitted to withdraw.~~

3 ~~—— (ii) A candidate who files for an office pursuant to this~~
 4 ~~subsection and who had previously filed as a candidate for~~
 5 ~~another office of state senator or state representative, which~~
 6 ~~offices are to be filled at the same election, is considered to~~
 7 ~~have automatically withdrawn the previous filing.~~

8 ~~—— (3) Subsection (2) only applies until December 31, 1994.~~

9 Sec. 166. If for any reason the number of candidates of a
 10 political party for the office of state senator or representative
 11 ~~shall be~~ **IS** equal to less than the total number to be nominated
 12 and elected, a sufficient number of blank spaces shall be
 13 provided on the primary ballots ~~which will afford~~ **THAT AFFORDS**
 14 every elector of ~~said~~ **THE POLITICAL** party an opportunity to vote
 15 for as many candidates as are to be nominated and elected by
 16 writing in the name or names of his or her selection. ~~or by the~~
 17 ~~use of slips or pasters.~~

18 Sec. 193. (1) To obtain the printing of the name of a person
 19 as a candidate for nomination by a political party for an office
 20 named in section 191 under a particular party heading upon the
 21 official primary ballots, there shall be filed with the county
 22 clerk nominating petitions signed by a number of qualified and
 23 registered electors residing within the county as determined
 24 under section 544f. Nominating petitions shall be in the form
 25 prescribed in section 544c. ~~The~~ **UNTIL DECEMBER 31, 2013, THE**
 26 county clerk shall receive nominating petitions up to 4 p.m. of
 27 the twelfth Tuesday ~~preceeding~~ **BEFORE** the August primary.

1 BEGINNING JANUARY 1, 2014, THE COUNTY CLERK SHALL RECEIVE
2 NOMINATING PETITIONS UP TO 4 P.M. OF THE FIFTEENTH TUESDAY BEFORE
3 THE AUGUST PRIMARY.

4 (2) To obtain the printing of the name of a candidate of a
5 political party under the particular party's heading upon the
6 primary election ballots in the various voting precincts of the
7 county, there may be filed by the candidate, in lieu of filing
8 nomination petitions, a filing fee of \$100.00 to be paid to the
9 county clerk. Payment of the fee and certification of the
10 candidate's name paying the fee shall be governed by the same
11 provisions as in the case of nominating petitions. The fee shall
12 be deposited in the general fund of the county and shall be
13 refunded to candidates who are nominated and to an equal number
14 of candidates who receive the next highest number of votes in the
15 primary election. If 2 or more candidates tie in having the
16 lowest number of votes allowing a refund, the sum of \$100.00
17 shall be divided among them. The deposits of all other defeated
18 candidates, as well as the deposits of candidates who withdraw or
19 are disqualified, shall be forfeited and the candidates shall be
20 notified of the forfeiture. Deposits forfeited under this section
21 shall be paid into and credited to the general fund of the
22 county.

23 Sec. 195. ~~When any~~ **IF A** candidate of a political party for
24 ~~any of the following offices: Prosecuting~~ **PROSECUTING** attorney,
25 sheriff, county clerk, county treasurer, register of deeds, drain
26 commissioner, coroner, or surveyor, ~~as the case may be,~~ after
27 having qualified as a candidate, ~~shall die,~~ **DIES** after the last

1 day for qualifying, leaving ~~such~~ **THE POLITICAL** party without a
 2 candidate for ~~the offices named above,~~ **THAT OFFICE**, a candidate
 3 to fill the vacancy ~~thereby caused~~ may be selected by the members
 4 of the county committee of ~~such~~ **THE** candidate's political party,
 5 and the name of the candidate ~~so~~ selected shall be transmitted to
 6 the county officials required by law to print and distribute
 7 ballots. ~~and such~~ **THE NAME OF THE CANDIDATE SHALL BE PRINTED ON**
 8 **THE BALLOTS, BUT IF THE BALLOTS HAVE BEEN PRINTED, THE** county
 9 officials shall ~~cause to be printed a sufficient number of gummed~~
 10 ~~labels or stickers bearing the name of the candidate which~~ **HAVE**
 11 **THE BALLOTS REPRINTED WITH THE CANDIDATE'S NAME ON THE BALLOTS**
 12 **AND THE REPRINTED BALLOTS** shall be distributed to the various
 13 voting precincts within their respective counties. ~~and the~~
 14 ~~board of election inspectors of each such precinct shall cause~~ ~~1~~
 15 ~~of such stickers to be placed on each ballot over the name of the~~
 16 ~~candidate who has died before such ballot is handed to the~~
 17 ~~elector.~~

18 Sec. 196. If for any reason the number of candidates of a
 19 political party for any 1 or more of the offices named in section
 20 191 ~~of this act shall be~~ **IS** equal to less than the total number
 21 to be nominated by ~~said~~ **THE** political party, a blank space or
 22 spaces shall be provided on each of the official primary ballots
 23 ~~which will afford~~ **THAT AFFORDS** every elector of ~~said~~ **THE**
 24 **POLITICAL** party an opportunity to vote for as many candidates for
 25 ~~such~~ **THE** office as are to be nominated by ~~said~~ **THE POLITICAL**
 26 party ~~by~~ writing in the name or names of his or her selection.
 27 ~~or by the use of slips or pasters.~~

1 Sec. 198. (1) ~~When~~ **IF** a candidate of a political party has
 2 ~~filed~~ **FILES** a nominating petition or filing fee for ~~an~~ **A COUNTY**
 3 office and has been nominated for the office by a political
 4 party, the candidate ~~shall~~ **IS** not ~~be~~ permitted to withdraw unless
 5 he **OR SHE** has ~~removed~~ **MOVED** from the county or has become
 6 physically unfit.

7 (2) ~~When~~ **IF** a candidate of a political party has ~~filed~~ **FILES**
 8 a nominating petition or filing fee for ~~township office or the~~
 9 office of county commissioner and has been nominated for that
 10 office by a political party, the candidate ~~shall~~ **IS** not ~~be~~
 11 permitted to withdraw unless he **OR SHE** has moved from the county
 12 or from the district from which he **OR SHE** was nominated, ~~or~~ has
 13 become physically unfit.

14 (3) If the person who has been nominated as the candidate of
 15 a political party for ~~township~~ **A COUNTY** office or the office of
 16 county commissioner dies before the date of the election for that
 17 office, the county ~~political~~ **EXECUTIVE** committee, ~~or in the case~~
 18 ~~of a township office, the township political committee,~~ of the
 19 party whose candidate has died shall select, by majority vote, a
 20 replacement for that person. The name of the replacement ~~so~~
 21 selected shall be transmitted to the election officials
 22 responsible for the preparation and distribution of ballots, and
 23 the name of the replacement shall be affixed to each ballot ~~or~~
 24 ~~voting device~~ in place of the name of the original candidate.

25 (4) A vacancy shall not be filled by ~~the~~ **A county committees**
 26 **EXECUTIVE COMMITTEE** ~~except for the above causes and as herein~~
 27 ~~specified.~~ **AS PROVIDED IN THIS SECTION.**

1 (5) This prohibition shall not be construed to prohibit the
2 withdrawal of a candidate who was nominated without having filed
3 a nominating petition or filing fee and whose name has been
4 written or placed on the ballot of a political party.

5 Sec. 224. (1) To obtain the printing of the name of a person
6 as candidate for nomination by a political party for the office
7 of county auditor under a particular party heading upon the
8 official primary ballots, there shall be filed with the county
9 clerk nominating petitions signed by a number of qualified and
10 registered electors residing within the county as determined
11 under section 544f. Nominating petitions shall be in the form
12 prescribed in section 544c. ~~The~~ **UNTIL DECEMBER 31, 2013, THE**
13 county clerk shall receive nominating petitions up to 4 p.m. of
14 the twelfth Tuesday ~~preceding~~ **BEFORE** the August primary.
15 **BEGINNING JANUARY 1, 2014, THE COUNTY CLERK SHALL RECEIVE**
16 **NOMINATING PETITIONS UP TO 4 P.M. OF THE FIFTEENTH TUESDAY BEFORE**
17 **THE AUGUST PRIMARY.**

18 (2) To obtain the printing of the name of the candidate of a
19 political party under the particular party's heading upon the
20 primary election ballots in the various voting precincts of the
21 county, there may be filed by the candidate, in lieu of filing
22 nominating petitions, a filing fee of \$100.00 to be paid to the
23 county clerk. Payment of the fee and certification of the name of
24 the candidate paying the fee shall be governed by the same
25 provisions as in the case of nominating petitions. The fee shall
26 be deposited in the general fund of the county and shall be
27 refunded to candidates who are nominated and to an equal number

1 of candidates who received the next highest number of votes in
 2 the primary election. If 2 or more candidates tie in having the
 3 lowest number of votes allowing a refund, the sum of \$100.00
 4 shall be divided among them. The deposits of all other defeated
 5 candidates and of candidates who withdraw or are disqualified
 6 shall be forfeited and the candidates shall be notified of the
 7 forfeitures. Deposits forfeited under this section shall be paid
 8 into and credited to the general fund of the county.

9 Sec. 226. ~~When any~~ **IF A** candidate of a political party for
 10 the office of county auditor, after having qualified as a
 11 candidate, ~~shall die,~~ **DIES** after the last day for qualifying,
 12 leaving ~~such~~ **THE POLITICAL** party without a candidate for the
 13 office of county auditor, a candidate to fill the vacancy ~~thereby~~
 14 ~~caused~~ may be selected by the members of the county committee of
 15 ~~such~~ **THE** candidate's political party for the county, and the name
 16 of the candidate ~~so~~ selected shall be transmitted to the county
 17 officials required by law to print and distribute ballots. ~~, and~~
 18 ~~such~~ **THE NAME OF THE CANDIDATE SHALL BE PRINTED ON THE BALLOTS,**
 19 **BUT IF THE BALLOTS HAVE BEEN PRINTED, THE** county officials shall
 20 ~~cause to be printed a sufficient number of gummed labels or~~
 21 ~~stickers bearing the name of the candidate, which~~ **HAVE THE**
 22 **BALLOTS REPRINTED WITH THE CANDIDATE'S NAME ON THE BALLOTS AND**
 23 **THE REPRINTED BALLOTS** shall be distributed to the various voting
 24 precincts within their respective counties. ~~, and the board of~~
 25 ~~election inspectors of each such precinct shall cause 1 of such~~
 26 ~~stickers to be placed on each ballot over the name of the~~
 27 ~~candidate who has died before such ballot is handed to the~~

1 elector.

2 Sec. 227. If for any reason there is no candidate of a
3 political party for county auditor, a blank space shall be
4 provided on each of the official primary ballots ~~which will~~
5 ~~afford~~ **THAT AFFORDS** every elector of ~~said~~ **THE POLITICAL** party an
6 opportunity to vote for a candidate for ~~such~~ **THE** office by
7 writing in the name of his or her selection. ~~or by the use of a~~
8 ~~slip or paster.~~

9 Sec. 254. (1) To obtain the printing of the name of a person
10 as a candidate for nomination by a political party for the office
11 of county road commissioner under a particular party heading upon
12 the official primary ballots, there shall be filed with the
13 county clerk of the county nominating petitions signed by a
14 number of qualified and registered electors residing within the
15 county as determined under section 544f. Nominating petitions
16 shall be in the form prescribed in section 544c. ~~The~~ **UNTIL**
17 **DECEMBER 31, 2013, THE** county clerk shall receive nominating
18 petitions up to 4 p.m. of the twelfth Tuesday ~~preceeding~~ **BEFORE**
19 the August primary in which county road commissioners are to be
20 elected. **BEGINNING JANUARY 1, 2014, THE COUNTY CLERK SHALL**
21 **RECEIVE NOMINATING PETITIONS UP TO 4 P.M. OF THE FIFTEENTH**
22 **TUESDAY BEFORE THE AUGUST PRIMARY IN WHICH COUNTY ROAD**
23 **COMMISSIONERS ARE TO BE ELECTED.**

24 (2) To obtain the printing of the name of a candidate of a
25 political party under the particular party's heading upon the
26 primary election ballots in the various voting precincts of the
27 county, there may be filed by each candidate, in lieu of filing

1 nominating petitions, a filing fee of \$100.00 to be paid to the
2 county clerk. Payment of the fee and certification of the name of
3 the candidate paying the fee shall be governed by the same
4 provisions as in the case of nominating petitions. The fee shall
5 be deposited in the general fund of the county and shall be
6 returned to all candidates who are nominated and to an equal
7 number of candidates who received the next highest number of
8 votes in the primary election. If 2 or more candidates tie in
9 having the lowest number of votes allowing a refund, the sum of
10 \$100.00 shall be divided among them. The deposits of all other
11 defeated candidates, as well as the deposits of candidates who
12 withdraw or are disqualified, shall be forfeited and the
13 candidates shall be notified of the forfeitures. Deposits
14 forfeited under this section shall be paid into and credited to
15 the general fund of the county.

16 Sec. 255. ~~When any~~ **IF A** candidate of a political party for
17 the office of county road commissioner, after having qualified as
18 a candidate, ~~shall die,~~ **DIES** after the last day for qualifying,
19 leaving ~~such~~ **THE POLITICAL** party without a candidate for the
20 office of county road commissioner, a candidate to fill the
21 vacancy ~~thereby caused~~ may be selected by the members of the
22 county committee of ~~such~~ **THE** candidate's political party for the
23 county, and the name of the candidate ~~so~~ selected shall be
24 transmitted to the county officials required by law to print and
25 distribute ballots. ~~, and such~~ **THE NAME OF THE CANDIDATE SHALL BE**
26 **PRINTED ON THE BALLOTS, BUT IF THE BALLOTS HAVE BEEN PRINTED, THE**
27 county officials shall ~~cause to be printed a sufficient number of~~

1 ~~gummed labels or stickers bearing the name of the candidate which~~
2 **HAVE THE BALLOTS REPRINTED WITH THE CANDIDATE'S NAME ON THE**
3 **BALLOTS AND THE REPRINTED BALLOTS** shall be distributed to the
4 various voting precincts within their respective county. ~~, and a~~
5 ~~board of election inspectors of each such precinct shall cause 1~~
6 ~~of such stickers to be placed on each ballot over the name of the~~
7 ~~candidate who has died before such ballot is handed to the~~
8 ~~elector.~~

9 Sec. 257. If for any reason there is no candidate of a
10 political party for county road commissioner, a blank space shall
11 be provided on each of the official primary ballots ~~which will~~
12 ~~afford~~ **THAT AFFORDS** every elector of ~~said~~ **THE POLITICAL** party an
13 opportunity to vote for a candidate for ~~such~~ **THAT** office by
14 writing in the name of his or her selection. ~~or by the use of a~~
15 ~~slip or paster.~~

16 Sec. 303. (1) ~~Subject~~ **UNTIL DECEMBER 31, 2013, AND SUBJECT**
17 to subsection (4), for an individual's name to appear on the
18 official ballot as a candidate for school board member, the
19 candidate shall file a nominating petition and the affidavit
20 required by section 558 with the school district filing official
21 not later than 4 p.m. on the twelfth Tuesday before the election
22 date. **BEGINNING JANUARY 1, 2014, AND SUBJECT TO SUBSECTION (4),**
23 **FOR AN INDIVIDUAL'S NAME TO APPEAR ON THE OFFICIAL BALLOT AS A**
24 **CANDIDATE FOR SCHOOL BOARD MEMBER, THE CANDIDATE SHALL FILE A**
25 **NOMINATING PETITION AND THE AFFIDAVIT REQUIRED BY SECTION 558**
26 **WITH THE SCHOOL DISTRICT FILING OFFICIAL NOT LATER THAN 4 P.M. ON**
27 **THE FIFTEENTH TUESDAY BEFORE THE ELECTION DATE.** The nominating

1 petition must be signed by the following number of electors of
2 the school district:

3 (a) If the population of the school district is less than
4 10,000 according to the most recent federal census, a minimum of
5 6 and a maximum of 20.

6 (b) If the population of the school district is 10,000 or
7 more according to the most recent federal census, a minimum of 40
8 and a maximum of 100.

9 (2) The nominating petition shall be substantially in the
10 form prescribed in section 544c, except that the petition shall
11 be nonpartisan and shall include the following opening paragraph:

12 We, the undersigned, registered and qualified voters
13 of _____
14 and residents of the _____, the
15 (legal name of school district)
16 county of _____, state of Michigan,
17 (city or township)
18 nominate _____
19 (name of candidate)
20 _____
21 (street address) (city or township),
22 a registered and qualified elector of the district as a member
23 of the board of education of the school district for a term
24 of _____ years, expiring _____, to be voted for at the
25 election to be held on the _____ day of _____,
26 (month) (year).

27 (3) A school elector shall not sign petitions for more
28 candidates than are to be elected.

29 (4) Instead of filing nominating petitions, a candidate for
30 school board member may pay a nonrefundable filing fee of \$100.00

1 to the school district filing official. If this fee is paid by
2 the due date for a nominating petition, the payment has the same
3 effect under this section as the filing of a nominating petition.

4 (5) A nominating petition filed under this chapter is
5 subject to the examination and investigation process prescribed
6 in section 552 as to its sufficiency and the validity and
7 genuineness of the signatures on the nominating petition, and to
8 the other procedures prescribed in that section relevant to a
9 petition filed under this chapter.

10 (6) After a nominating petition is filed or filing fee is
11 paid for a candidate for school board member, the candidate is
12 not permitted to withdraw unless a written withdrawal notice,
13 signed by the candidate, is filed with the school district filing
14 official not later than 4 p.m. of the third day after the last
15 day for filing the nominating petition. If the school district
16 filing official is not a county clerk, the school district filing
17 official shall notify the county clerk of the candidates' names
18 and addresses not later than 3 days after the last day for filing
19 a withdrawal notice.

20 Sec. 322. ~~For~~**UNTIL DECEMBER 31, 2013, FOR** the name of a
21 candidate for a city office, including a ward office, to appear
22 on the official February primary election ballots for use in the
23 city, a nominating petition shall be filed with the city clerk
24 not later than 4 p.m. on the twelfth Tuesday before the February
25 primary. ~~If~~**BEGINNING JANUARY 1, 2014, FOR THE NAME OF A**
26 **CANDIDATE FOR A CITY OFFICE, INCLUDING A WARD OFFICE, TO APPEAR**
27 **ON THE OFFICIAL FEBRUARY PRIMARY ELECTION BALLOTS FOR USE IN THE**

1 CITY, A NOMINATING PETITION SHALL BE FILED WITH THE CITY CLERK
 2 NOT LATER THAN 4 P.M. ON THE FIFTEENTH TUESDAY BEFORE THE
 3 FEBRUARY PRIMARY. UNTIL DECEMBER 31, 2013, IF a charter provides
 4 for nomination by caucus or by filing a petition or affidavit
 5 directly for the May election, the candidate filing deadline or
 6 certification deadline shall be 4 p.m. on the twelfth Tuesday
 7 before the May election. BEGINNING JANUARY 1, 2014, IF A CHARTER
 8 PROVIDES FOR NOMINATION BY CAUCUS OR BY FILING A PETITION OR
 9 AFFIDAVIT DIRECTLY FOR THE MAY ELECTION, THE CANDIDATE FILING
 10 DEADLINE OR CERTIFICATION DEADLINE SHALL BE 4 P.M. ON THE
 11 FIFTEENTH TUESDAY BEFORE THE MAY ELECTION.

12 Sec. 326. ~~When any~~ IF A candidate of a political party for
 13 ~~any~~ A city office, after having qualified as a candidate, shall
 14 ~~die,~~ DIES after the last day for qualifying, leaving such ~~THE~~
 15 POLITICAL party without a candidate for the office, a candidate
 16 to fill the vacancy ~~thereby caused~~ may be selected by the members
 17 of the ~~city~~ COUNTY EXECUTIVE committee, ~~and the~~ OF THE
 18 CANDIDATE'S POLITICAL PARTY RESIDING IN THE CITY IF 3 OR MORE
 19 MEMBERS OF THE COUNTY EXECUTIVE COMMITTEE OF THAT POLITICAL PARTY
 20 RESIDE IN THE CITY. IF LESS THAN 3 MEMBERS OF THE COUNTY
 21 EXECUTIVE COMMITTEE OF THAT POLITICAL PARTY RESIDE IN THE CITY,
 22 THE COUNTY EXECUTIVE COMMITTEE OF THAT POLITICAL PARTY MAY SELECT
 23 A CANDIDATE TO FILL THE VACANCY FOR THAT OFFICE. THE name of the
 24 candidate ~~so~~ selected shall be transmitted to the city officials
 25 required by law to print and distribute ballots. ~~and such~~ THE
 26 NAME OF THE CANDIDATE SHALL BE PRINTED ON THE BALLOTS, BUT IF THE
 27 BALLOTS HAVE BEEN PRINTED, THE city officials shall ~~cause to be~~

1 ~~printed a sufficient number of gummed labels or stickers bearing~~
 2 ~~the name of the candidate, which~~ **HAVE THE BALLOTS REPRINTED WITH**
 3 **THE CANDIDATE'S NAME ON THE BALLOTS AND THE REPRINTED BALLOTS**
 4 shall be distributed to the various voting precincts within ~~their~~
 5 **THE** city. ~~, and the board of election inspectors of each such~~
 6 ~~precinct shall cause 1 of such stickers to be placed on each~~
 7 ~~ballot over the name of the candidate who has died before such~~
 8 ~~ballot is handed to the elector.~~

9 Sec. 349. (1) To obtain the printing of the name of a person
 10 as a candidate for nomination by a political party for a township
 11 office under the particular party heading upon the official
 12 primary ballots, there shall be filed with the township clerk
 13 nominating petitions signed by a number of qualified and
 14 registered electors residing within the township as determined
 15 under section 544f. Nominating petitions shall be in the form
 16 prescribed in section 544c. ~~The~~ **UNTIL DECEMBER 31, 2013, THE**
 17 township clerk shall receive nominating petitions up to 4 p.m. of
 18 the twelfth Tuesday ~~preceding~~ **BEFORE** the August primary.
 19 **BEGINNING JANUARY 1, 2014, THE TOWNSHIP CLERK SHALL RECEIVE**
 20 **NOMINATING PETITIONS UP TO 4 P.M. OF THE FIFTEENTH TUESDAY BEFORE**
 21 **THE AUGUST PRIMARY.**

22 (2) Within 4 days after the last day for filing nominating
 23 petitions, the township clerk shall deliver to the county clerk a
 24 list setting forth the name, address, and political affiliation
 25 and office sought of each candidate who has qualified for a
 26 position on the primary ballot.

27 Sec. 352. ~~When any~~ **IF A** candidate of a political party for

~~1 any~~**A** township office, after having qualified as a candidate,
~~2 shall die,~~**DIES** after the last day for qualifying, leaving ~~such~~
~~3 THE POLITICAL~~ party without a candidate for a township office, a
~~4 candidate to fill the vacancy thereby caused~~ may be selected by
~~5 the members of the township~~**COUNTY EXECUTIVE** committee of ~~such~~
~~6 THE~~ candidate's political party ~~for~~**RESIDING IN** the township ~~,~~
~~7 and the~~**IF 3 OR MORE MEMBERS OF THE COUNTY EXECUTIVE COMMITTEE OF**
~~8 THAT POLITICAL PARTY RESIDE IN THE TOWNSHIP. IF LESS THAN 3~~
~~9 MEMBERS OF THE COUNTY EXECUTIVE COMMITTEE OF THAT POLITICAL PARTY~~
~~10 RESIDE IN THE TOWNSHIP, THE COUNTY EXECUTIVE COMMITTEE OF THAT~~
~~11 POLITICAL PARTY MAY SELECT A CANDIDATE TO FILL THE VACANCY FOR~~
~~12 THAT OFFICE. THE~~ name of the candidate ~~so~~selected shall be
~~13 transmitted to the township officials required by law to print~~
~~14 and distribute ballots. , and such~~**THE NAME OF THE CANDIDATE**
~~15 SHALL BE PRINTED ON THE BALLOTS, BUT IF THE BALLOTS HAVE BEEN~~
~~16 PRINTED, THE~~ township officials shall ~~cause to be printed a~~
~~17 sufficient number of gummed labels or stickers bearing the name~~
~~18 of the candidate, which~~**HAVE THE BALLOTS REPRINTED WITH THE**
~~19 CANDIDATE'S NAME ON THE BALLOTS AND THE REPRINTED BALLOTS~~ shall
~~20 be distributed to the various voting precincts within their~~
~~21 respective~~**THE** township. ~~, and the board of election inspectors~~
~~22 of each such precinct shall cause 1 of such stickers to be placed~~
~~23 on each ballot, over the name of the candidate who has died,~~
~~24 before such ballot is handed to the elector.~~

~~25~~ Sec. 354. If, for any reason, the number of candidates of a
~~26~~ political party to a township office ~~shall be~~**IS** equal to less
~~27~~ than the total number to be nominated and elected, a sufficient

1 number of blank spaces shall be provided on the official primary
2 ballots ~~which will afford~~ **THAT AFFORDS** every elector to ~~said~~ **THE**
3 **POLITICAL** party an opportunity to vote for as many candidates as
4 are to be nominated and elected by writing in the name or names
5 of his or her selection. ~~or by the use of slips or pasters.~~

6 Sec. 357. ~~When any~~ **IF A** candidate of a political party,
7 after having been nominated for a township office, ~~shall die,~~
8 ~~remove~~ **DIES, MOVES** from the township, or ~~become~~ **BECOMES**
9 disqualified for any reason, the township board of election
10 commissioners shall provide a blank space or spaces on the
11 official ballots ~~which will afford~~ **THAT AFFORDS** every elector of
12 ~~said~~ **THE POLITICAL** party an opportunity to vote for a candidate
13 to fill the vacancy ~~thereby caused,~~ by writing in the name of his
14 or her selection. ~~or by the use of a slip or paster.~~

15 Sec. 381. (1) Except as provided in this section and
16 sections 383, 641, 642, and 644g, the qualifications, nomination,
17 election, appointment, term of office, and removal from office of
18 a village officer shall be as determined by the charter
19 provisions governing the village.

20 (2) If the membership of the village council of a village
21 governed by the general law village act, 1895 PA 3, MCL 61.1 to
22 74.25, is reduced to less than a quorum of 4 and a special
23 election for the purpose of filling all vacancies in the office
24 of trustee is called under section 13 of chapter II of the
25 general law village act, 1895 PA 3, MCL 62.13, temporary
26 appointments of trustees shall be made as provided in this
27 subsection. The board of county election commissioners of the

1 county in which the largest portion of the population of the
2 village is situated shall make temporary appointment of the
3 number of trustees required to constitute a quorum for the
4 transaction of business by the village council. A trustee
5 appointed under this subsection shall hold the office only until
6 the trustee's successor is elected and qualified. A trustee who
7 is temporarily appointed under this subsection shall not vote on
8 the appointment of himself or herself to an elective or
9 appointive village office.

10 (3) Notwithstanding another provision of law or charter to
11 the contrary, an appointment to an elective or appointive village
12 office made by a quorum constituted by temporary appointments
13 under this subsection expires upon the election and qualification
14 of trustees under the special election called to fill the
15 vacancies in the office of trustee.

16 (4) Filing for a village office shall be with the township
17 clerk if the township is conducting the election or if the
18 village is located in more than 1 township with the township in
19 which the largest number of the registered electors of the
20 village reside. ~~Except~~ **UNTIL DECEMBER 31, 2013, AND EXCEPT** as
21 provided in subsection (5), nominating petitions for village
22 offices shall be filed with the appropriate township clerk by 4
23 p.m. on the twelfth Tuesday before the general November election.
24 **BEGINNING JANUARY 1, 2014, AND EXCEPT AS OTHERWISE PROVIDED IN**
25 **SUBSECTION (5), NOMINATING PETITIONS FOR VILLAGE OFFICES SHALL BE**
26 **FILED WITH THE APPROPRIATE TOWNSHIP CLERK BY 4 P.M. ON THE**
27 **FIFTEENTH TUESDAY BEFORE THE GENERAL NOVEMBER ELECTION.** After a

1 nominating petition is filed for a candidate for a village
2 office, the candidate is not permitted to withdraw unless a
3 written withdrawal notice, signed by the candidate, is filed with
4 the appropriate township clerk not later than 4 p.m. of the third
5 day after the last day for filing the nominating petition.

6 (5) ~~IF UNTIL DECEMBER 31, 2013, IF~~ a village council adopts
7 a resolution in compliance with section 642(7) to hold its
8 regular election at the September election, the nominating
9 petitions for village offices to be filled at the September
10 election shall be filed with the village clerk by 4 p.m. on the
11 twelfth Tuesday before the September election. **BEGINNING JANUARY**
12 **1, 2014, IF A VILLAGE ADOPTS A RESOLUTION IN COMPLIANCE WITH**
13 **SECTION 642(7) TO HOLD ITS REGULAR ELECTION AT THE SEPTEMBER**
14 **ELECTION, THE NOMINATING PETITIONS FOR VILLAGE OFFICES TO BE**
15 **FILLED AT THE SEPTEMBER ELECTION SHALL BE FILED WITH THE VILLAGE**
16 **CLERK BY 4 P.M. ON THE FIFTEENTH TUESDAY BEFORE THE SEPTEMBER**
17 **ELECTION.** After a nominating petition is filed for a candidate
18 for a village office, the candidate is not permitted to withdraw
19 unless a written withdrawal notice, signed by the candidate, is
20 filed with the village clerk not later than 4 p.m. of the third
21 day after the last day for filing the nominating petition.

22 Sec. 409b. (1) To obtain the printing of the name of a
23 qualified person other than an incumbent judge of the court of
24 appeals as a candidate for nomination for the office of judge of
25 the court of appeals upon the official nonpartisan primary
26 ballots, there shall be filed with the secretary of state
27 nominating petitions containing the signatures, addresses, and

1 dates of signing of a number of qualified and registered electors
2 residing in the appellate court district as determined under
3 section 544f. The provisions of sections 544a and 544b apply. ~~The~~
4 **UNTIL DECEMBER 31, 2013, THE** secretary of state shall receive
5 nominating petitions up to 4 p.m. on the fourteenth Tuesday
6 ~~preceding~~**BEFORE** the primary. **BEGINNING JANUARY 1, 2014, THE**
7 **SECRETARY OF STATE SHALL RECEIVE NOMINATING PETITIONS UP TO 4**
8 **P.M. ON THE FIFTEENTH TUESDAY BEFORE THE PRIMARY.**

9 (2) Nominating petitions filed under this section are valid
10 only if they clearly indicate for which of the following offices
11 the candidate is filing, consistent with subsection (8):

12 (a) An unspecified existing judgeship for which the
13 incumbent judge is seeking election.

14 (b) An unspecified existing judgeship for which the
15 incumbent judge is not seeking election.

16 (c) A new judgeship.

17 (3) Nominating petitions specifying a new or existing court
18 of appeals judgeship may not be used to qualify a candidate for
19 another judicial office of the same court in the same judicial
20 district. A person who files nominating petitions for election to
21 more than 1 court of appeals judgeship shall have not more than 3
22 days following the close of filing to withdraw from all but 1
23 filing.

24 (4) In a primary and general election for 2 or more
25 judgeships where more than 1 of the categories in subsection (2)
26 could be selected, a candidate shall apply to the bureau of
27 elections for a written statement of office designation to

1 correspond to the judgeship sought by the candidate. The office
2 designation provided by the secretary of state shall be included
3 in the heading of all nominating petitions. Nominating petitions
4 containing an improper office designation are invalid.

5 (5) The secretary of state shall issue an office designation
6 of incumbent position for any judgeship for which the incumbent
7 judge is eligible to seek reelection. If an incumbent judge does
8 not file an affidavit of candidacy by the deadline, the secretary
9 of state shall notify all candidates for that office that a
10 nonincumbent position exists. All nominating petitions circulated
11 for the nonincumbent position subsequent to the deadline shall
12 bear an office designation of nonincumbent position. All
13 signatures collected ~~prior to~~ **BEFORE** the affidavit of candidacy
14 filing deadline may be filed with the nonincumbent nominating
15 petitions.

16 (6) An incumbent judge of the court of appeals may become a
17 candidate in the primary election for the office of which he or
18 she is the incumbent by filing with the secretary of state an
19 affidavit of candidacy not less than 134 days before the date of
20 the primary election. However, **BEFORE DECEMBER 31, 2013**, if an
21 incumbent judge of the court of appeals was appointed to fill a
22 vacancy and the judge entered upon the duties of office less than
23 137 days before the date of the primary election but before the
24 fourteenth Tuesday ~~preceding~~ **BEFORE** the primary election, the
25 incumbent judge may file the affidavit of candidacy not more than
26 3 days after entering upon the duties of office. **BEGINNING**
27 **JANUARY 1, 2014, IF AN INCUMBENT JUDGE OF THE COURT OF APPEALS**

1 WAS APPOINTED TO FILL A VACANCY AND THE JUDGE ENTERED UPON THE
2 DUTIES OF THE OFFICE LESS THAN 137 DAYS BEFORE THE DATE OF THE
3 PRIMARY ELECTION BUT BEFORE THE FIFTEENTH TUESDAY BEFORE THE
4 PRIMARY ELECTION, THE INCUMBENT JUDGE MAY FILE THE AFFIDAVIT OF
5 CANDIDACY NOT MORE THAN 3 DAYS AFTER ENTERING UPON THE DUTIES OF
6 OFFICE. The affidavit of candidacy shall contain statements that
7 the affiant is an incumbent judge of the court of appeals, is
8 domiciled within the district, will not attain the age of 70 by
9 the date of election, and is a candidate for election to the
10 office of judge of the court of appeals.

11 (7) In the primary and general November election for 2 or
12 more judgeships of the court of appeals in a judicial district,
13 each of the following categories of candidates shall be listed
14 separately on the ballot, consistent with subsection (8):

15 (a) The names of candidates for the judgeship or judgeships
16 for which the incumbent is seeking election.

17 (b) The names of candidates for the judgeship or judgeships
18 for which the incumbent is not seeking election.

19 (c) The names of candidates for a newly created judgeship or
20 judgeships.

21 (8) If the death or disqualification of an incumbent judge
22 triggers the application of section 409d(2), then for the
23 purposes of subsections (2) and (7), that judgeship shall be
24 regarded as a judgeship for which the incumbent judge is not
25 seeking election. The application of this subsection includes,
26 but is not limited to, circumstances in which the governor
27 appoints an individual to fill the vacancy and that individual

1 seeks to qualify as a nominee under section 409d(2).

2 Sec. 413. (1) To obtain the printing of the name of a person
3 as a candidate for nomination for the office of judge of the
4 circuit court upon the official nonpartisan primary ballots,
5 there shall be filed with the secretary of state nominating
6 petitions containing the signatures, addresses, and dates of
7 signing of a number of qualified and registered electors residing
8 in the judicial circuit as determined under section 544f or by
9 the filing of an affidavit according to section 413a. ~~The~~**UNTIL**
10 **DECEMBER 31, 2013, THE** secretary of state shall receive the
11 nominating petitions up to 4 p.m. of the fourteenth Tuesday
12 before the primary. **BEGINNING JANUARY 1, 2014, THE SECRETARY OF**
13 **STATE SHALL RECEIVE THE NOMINATING PETITIONS UP TO 4 P.M. OF THE**
14 **FIFTEENTH TUESDAY BEFORE THE PRIMARY.** The provisions of sections
15 544a and 544b apply.

16 (2) If a candidate for nomination for the office of judge of
17 the circuit court receives incorrect or inaccurate written
18 information from the secretary of state or the bureau of
19 elections concerning the number of nominating petition signatures
20 required under section 544f and that incorrect or inaccurate
21 written information is published or distributed by the secretary
22 of state or the bureau of elections, the candidate may bring an
23 action in a court of competent jurisdiction for equitable relief.
24 A court may grant equitable relief to a candidate under this
25 subsection if all of the following occur:

26 (a) The candidate brings the action for equitable relief
27 within 6 days after the candidate is notified by the secretary of

1 state or the bureau of elections that the candidate's nominating
2 petition contains insufficient signatures.

3 (b) The candidate files an affidavit certifying that he or
4 she contacted and received from the secretary of state or the
5 bureau of elections incorrect or inaccurate written information
6 concerning the number of nominating petition signatures required
7 under section 544f.

8 (c) The secretary of state or the bureau of elections
9 published or distributed the incorrect or inaccurate written
10 information concerning the number of nominating petition
11 signatures required under section 544f before the filing deadline
12 under subsection (1).

13 (d) The secretary of state or bureau of elections did not
14 inform the candidate at least 14 days before the filing deadline
15 under subsection (1) that incorrect or inaccurate written
16 information concerning the number of nominating petition
17 signatures required under section 544f had been published or
18 distributed.

19 (3) If a court grants equitable relief to a candidate under
20 subsection (2), the candidate shall be given the opportunity to
21 obtain additional nominating petition signatures to meet the
22 requirements under section 544f. The additional nominating
23 petition signatures obtained by a candidate shall be filed with
24 the secretary of state no later than 4 p.m. on the fifth business
25 day after the date that the court order granting equitable relief
26 is filed.

27 (4) The nominating petition signatures filed pursuant to

1 this section are subject to challenge as provided in section 552.

2 Sec. 413a. (1) Any incumbent circuit court judge may become
3 a candidate in the primary election for the office of which he or
4 she is an incumbent by filing with the secretary of state an
5 affidavit of candidacy not less than 134 days prior to the date
6 of the primary election. However, **UNTIL DECEMBER 31, 2013**, if an
7 incumbent judge of the circuit court was appointed to fill a
8 vacancy and the judge entered upon the duties of office less than
9 137 days before the date of the primary election but before the
10 fourteenth Tuesday ~~preceding~~**BEFORE** the primary election, the
11 incumbent judge may file the affidavit of candidacy not more than
12 3 days after entering upon the duties of office. **BEGINNING**
13 **JANUARY 1, 2014, IF AN INCUMBENT JUDGE OF THE CIRCUIT COURT WAS**
14 **APPOINTED TO FILL A VACANCY AND THE JUDGE ENTERED UPON THE DUTIES**
15 **OF OFFICE LESS THAN 137 DAYS BEFORE THE DATE OF THE PRIMARY**
16 **ELECTION BUT BEFORE THE FIFTEENTH TUESDAY BEFORE THE PRIMARY**
17 **ELECTION, THE INCUMBENT JUDGE MAY FILE THE AFFIDAVIT OF CANDIDACY**
18 **NOT MORE THAN 3 DAYS AFTER ENTERING UPON THE DUTIES OF OFFICE.**

19 (2) The affidavit of candidacy shall contain statements that
20 the affiant is an incumbent circuit court judge for the circuit
21 in which election is sought, that he or she is domiciled within
22 the circuit, and that he or she will not attain the age of 70 by
23 the date of election, and shall contain a declaration that he or
24 she is a candidate for election to the office of circuit court
25 judge.

26 Sec. 426d. (1) To obtain the printing of the name of a
27 person on the ballot as a candidate for the office of judge of

1 the municipal court of record, there shall be filed with the city
2 clerk nominating petitions containing the signatures, addresses,
3 and dates of signing of a number of qualified and registered
4 electors residing in that city as determined under section 544f.
5 ~~The~~ **UNTIL DECEMBER 31, 2013, THE** city clerk shall receive
6 nominating petitions up to 4 p.m. of the fourteenth Tuesday
7 ~~preceding~~ **BEFORE** the August primary. **BEGINNING JANUARY 1, 2014,**
8 **THE CITY CLERK SHALL RECEIVE NOMINATING PETITIONS UP TO 4 P.M. OF**
9 **THE FIFTEENTH TUESDAY BEFORE THE AUGUST PRIMARY.** The provisions
10 of sections 544a and 544b apply.

11 (2) An incumbent judge of the municipal court of record may
12 become a candidate in the primary election for the office of
13 which the judge is the incumbent by filing, with the city clerk,
14 an affidavit of candidacy not less than 134 days before the date
15 of the primary election. The affidavit of candidacy shall contain
16 statements that the affiant is an incumbent judge of the
17 municipal court of record, is domiciled within the city, will not
18 attain the age of 70 by the date of election, and is a candidate
19 for election to the office of judge of the municipal court of
20 record.

21 (3) Nominating petitions filed under this section are valid
22 only if they clearly indicate for which of the following offices
23 the candidate is filing, consistent with section 426k(3):

24 (a) An unspecified existing judgeship for which the
25 incumbent judge is seeking election.

26 (b) An unspecified existing judgeship for which the
27 incumbent judge is not seeking election.

1 (c) A new judgeship.

2 (4) A person who files nominating petitions for election to
3 more than 1 municipal court of record judgeship shall have not
4 more than 3 days following the close of filing to withdraw from
5 all but 1 filing.

6 (5) In a primary and general election for 2 or more
7 judgeships where more than 1 of the categories in subsection (3)
8 could be selected, a candidate shall apply to the bureau of
9 elections for a written statement of office designation to
10 correspond to the judgeship sought by the candidate. The office
11 designation provided by the secretary of state shall be included
12 in the heading of all nominating petitions. Nominating petitions
13 containing an improper office designation are invalid.

14 (6) The secretary of state shall issue an office designation
15 of incumbent position for any judgeship for which the incumbent
16 judge is eligible to seek reelection. If an incumbent judge does
17 not file an affidavit of candidacy by the deadline, the secretary
18 of state shall notify all candidates for that office that a
19 nonincumbent position exists. All nominating petitions circulated
20 for the nonincumbent position subsequent to the deadline shall
21 bear an office designation of nonincumbent position. All
22 signatures collected ~~prior to~~ **BEFORE** the affidavit of candidacy
23 filing deadline may be filed with the nonincumbent nominating
24 petitions.

25 Sec. 433. (1) Except as otherwise provided in this
26 subsection, to obtain the printing of the name of a person as a
27 candidate for nomination for the office of judge of probate upon

1 the official nonpartisan primary ballots, there shall be filed
2 with the county clerk of each county nominating petitions
3 containing the signatures, addresses, and dates of signing of a
4 number of qualified and registered electors residing in the
5 county as determined under section 544f or by the filing of an
6 affidavit according to section 433a. In the case of a probate
7 court district, to obtain the printing of the name of a person as
8 a candidate for nomination for the office of judge of probate
9 upon the official nonpartisan primary ballots, there shall be
10 filed with the secretary of state nominating petitions containing
11 the signatures, addresses, and dates of signing of a number of
12 qualified and registered electors residing in the probate court
13 district as determined under section 544f or by the filing of an
14 affidavit according to section 433a. ~~The~~ **UNTIL DECEMBER 31, 2013,**
15 **THE** county clerk or, in the case of a probate court district, the
16 secretary of state shall receive nominating petitions up to 4
17 p.m. on the fourteenth Tuesday before the August primary.
18 **BEGINNING JANUARY 1, 2014, THE COUNTY CLERK OR, IN THE CASE OF A**
19 **PROBATE COURT DISTRICT, THE SECRETARY OF STATE SHALL RECEIVE**
20 **NOMINATING PETITIONS UP TO 4 P.M. ON THE FIFTEENTH TUESDAY BEFORE**
21 **THE AUGUST PRIMARY.** The provisions of sections 544a and 544b
22 apply.

23 (2) Nominating petitions filed under this section are valid
24 only if they clearly indicate for which of the following offices
25 the candidate is filing, consistent with section 435a(2):

26 (a) An unspecified existing judgeship for which the
27 incumbent judge is seeking election.

1 (b) An unspecified existing judgeship for which the
2 incumbent judge is not seeking election.

3 (c) A new judgeship.

4 (3) A person who files nominating petitions for election to
5 more than 1 probate judgeship shall have not more than 3 days
6 following the close of filing to withdraw from all but 1 filing.

7 (4) In a primary and general election for 2 or more
8 judgeships where more than 1 of the categories in subsection (2)
9 could be selected, a candidate shall apply to the bureau of
10 elections for a written statement of office designation to
11 correspond to the judgeship sought by the candidate. The office
12 designation provided by the secretary of state shall be included
13 in the heading of all nominating petitions. Nominating petitions
14 containing an improper office designation are invalid.

15 (5) The secretary of state shall issue an office designation
16 of incumbent position for any judgeship for which the incumbent
17 judge is eligible to seek reelection. If an incumbent judge does
18 not file an affidavit of candidacy by the deadline, the secretary
19 of state shall notify all candidates for that office that a
20 nonincumbent position exists. All nominating petitions circulated
21 for the nonincumbent position after the deadline shall bear an
22 office designation of nonincumbent position. All signatures
23 collected before the affidavit of candidacy filing deadline may
24 be filed with the nonincumbent nominating petitions.

25 (6) If a candidate for nomination for the office of judge of
26 probate receives incorrect or inaccurate written information from
27 the county clerk or, in the case of a probate court district, the

1 secretary of state concerning the number of nominating petition
2 signatures required under section 544f and that incorrect or
3 inaccurate written information is published or distributed by the
4 county clerk or, in the case of a probate court district, the
5 secretary of state, the candidate may bring an action in a court
6 of competent jurisdiction for equitable relief. A court may grant
7 equitable relief to a candidate under this subsection if all of
8 the following occur:

9 (a) The candidate brings the action for equitable relief
10 within 6 days after the candidate is notified by the county clerk
11 or, in the case of a probate court district, the secretary of
12 state that the candidate's nominating petition contains
13 insufficient signatures.

14 (b) The candidate files an affidavit certifying that he or
15 she contacted and received from the county clerk or, in the case
16 of a probate court district, the secretary of state incorrect or
17 inaccurate written information concerning the number of
18 nominating petition signatures required under section 544f.

19 (c) The county clerk or, in the case of a probate court
20 district, the secretary of state published or distributed the
21 incorrect or inaccurate written information concerning the number
22 of nominating petition signatures required under section 544f
23 before the filing deadline under subsection (1).

24 (d) The county clerk or, in the case of a probate court
25 district, the secretary of state did not inform the candidate at
26 least 14 days before the filing deadline under subsection (1)
27 that incorrect or inaccurate written information concerning the

1 number of nominating petition signatures required under section
2 544f had been published or distributed.

3 (7) If a court grants equitable relief to a candidate under
4 subsection (6), the candidate shall be given the opportunity to
5 obtain additional nominating petition signatures to meet the
6 requirements under section 544f. The additional nominating
7 petition signatures obtained by a candidate shall be filed with
8 the county clerk or, in the case of a probate court district, the
9 secretary of state no later than 4 p.m. on the fifth business day
10 after the date that the court order granting equitable relief is
11 filed.

12 (8) The nominating petition signatures filed pursuant to
13 this section are subject to challenge as provided in section 552.

14 Sec. 433a. (1) Any incumbent probate court judge may become
15 a candidate in the primary election for the office of which he or
16 she is an incumbent by filing with the county clerk, or in case
17 of a probate district with the secretary of state, an affidavit
18 of candidacy not less than 134 days ~~prior to~~ **BEFORE** the date of
19 the primary election. However, **UNTIL DECEMBER 31, 2013**, if an
20 incumbent judge of probate was appointed to fill a vacancy and
21 the judge entered upon the duties of office less than 137 days
22 before the date of the primary election but before the fourteenth
23 Tuesday ~~preceeding~~ **BEFORE** the primary election, the incumbent
24 judge may file the affidavit of candidacy not more than 3 days
25 after entering upon the duties of office. **BEGINNING JANUARY 1,**
26 **2014, IF AN INCUMBENT JUDGE OF PROBATE WAS APPOINTED TO FILL A**
27 **VACANCY AND THE JUDGE ENTERED UPON THE DUTIES OF OFFICE LESS THAN**

1 137 DAYS BEFORE THE DATE OF THE PRIMARY ELECTION BUT BEFORE THE
2 FIFTEENTH TUESDAY BEFORE THE PRIMARY ELECTION, THE INCUMBENT
3 JUDGE MAY FILE THE AFFIDAVIT OF CANDIDACY NOT MORE THAN 3 DAYS
4 AFTER ENTERING UPON THE DUTIES OF OFFICE.

5 (2) The affidavit of candidacy shall contain statements that
6 the affiant is an incumbent probate court judge of the county or
7 district of which election is sought, that he or she is domiciled
8 within the county or district, and that he or she will not attain
9 the age of 70 years by the date of election, and shall contain a
10 declaration that he or she is a candidate for election to the
11 office of probate court judge.

12 Sec. 467b. (1) To obtain the printing of the name of a
13 person as a candidate for nomination for the office of judge of
14 the district court upon the official nonpartisan primary ballots,
15 there shall be filed with the secretary of state nominating
16 petitions containing the signatures, addresses, and dates of
17 signing of a number of qualified and registered electors residing
18 in the judicial district or division as determined under section
19 544f. An incumbent district court judge may also become a
20 candidate by the filing of an affidavit in lieu of petitions
21 according to section 467c. ~~The~~ **UNTIL DECEMBER 31, 2013, THE**
22 secretary of state shall receive nominating petitions up to 4
23 p.m. on the fourteenth Tuesday before the primary. **BEGINNING**
24 **JANUARY 1, 2014, THE SECRETARY OF STATE SHALL RECEIVE NOMINATING**
25 **PETITIONS UP TO 4 P.M. ON THE FIFTEENTH TUESDAY BEFORE THE**
26 **PRIMARY.** The provisions of sections 544a and 544b apply.

27 (2) Nominating petitions filed under this section are valid

1 only if they clearly indicate for which of the following offices
2 the candidate is filing, consistent with section 467c(4):

3 (a) An unspecified existing judgeship for which the
4 incumbent judge is seeking election.

5 (b) An unspecified existing judgeship for which the
6 incumbent judge is not seeking election.

7 (c) A new judgeship.

8 (3) A person who files nominating petitions for election to
9 more than 1 district judgeship shall have not more than 3 days
10 following the close of filing to withdraw from all but 1 filing.

11 (4) In a primary and general election for 2 or more
12 judgeships where more than 1 of the categories in subsection (2)
13 could be selected, a candidate shall apply to the bureau of
14 elections for a written statement of office designation to
15 correspond to the judgeship sought by the candidate. The office
16 designation provided by the secretary of state shall be included
17 in the heading of all nominating petitions. Nominating petitions
18 containing an improper office designation are invalid.

19 (5) The secretary of state shall issue an office designation
20 of incumbent position for any judgeship for which the incumbent
21 judge is eligible to seek reelection. If an incumbent judge does
22 not file an affidavit of candidacy by the deadline, the secretary
23 of state shall notify all candidates for that office that a
24 nonincumbent position exists. All nominating petitions circulated
25 for the nonincumbent position after the deadline shall bear an
26 office designation of nonincumbent position. All signatures
27 collected before the affidavit of candidacy filing deadline may

1 be filed with the nonincumbent nominating petitions.

2 (6) If a candidate for nomination for the office of judge of
3 the district court receives incorrect or inaccurate written
4 information from the secretary of state or the bureau of
5 elections concerning the number of nominating petition signatures
6 required under section 544f and that incorrect or inaccurate
7 written information is published or distributed by the secretary
8 of state or the bureau of elections, the candidate may bring an
9 action in a court of competent jurisdiction for equitable relief.
10 A court may grant equitable relief to a candidate under this
11 subsection if all of the following occur:

12 (a) The candidate brings the action for equitable relief
13 within 6 days after the candidate is notified by the secretary of
14 state or the bureau of elections that the candidate's nominating
15 petition contains insufficient signatures.

16 (b) The candidate files an affidavit certifying that he or
17 she contacted and received from the secretary of state or the
18 bureau of elections incorrect or inaccurate written information
19 concerning the number of nominating petition signatures required
20 under section 544f.

21 (c) The secretary of state or the bureau of elections
22 published or distributed the incorrect or inaccurate written
23 information concerning the number of nominating petition
24 signatures required under section 544f before the filing deadline
25 under subsection (1).

26 (d) The secretary of state or bureau of elections did not
27 inform the candidate at least 14 days before the filing deadline

1 under subsection (1) that incorrect or inaccurate written
2 information concerning the number of nominating petition
3 signatures required under section 544f had been published or
4 distributed.

5 (7) If a court grants equitable relief to a candidate under
6 subsection (6), the candidate shall be given the opportunity to
7 obtain additional nominating petition signatures to meet the
8 requirements under section 544f. The additional nominating
9 petition signatures obtained by a candidate shall be filed with
10 the secretary of state no later than 4 p.m. on the fifth business
11 day after the date that the court order granting equitable relief
12 is filed.

13 (8) The nominating petition signatures filed pursuant to
14 this section are subject to challenge as provided in section 552.

15 Sec. 467c. (1) An incumbent district court judge may become
16 a candidate in the primary election for the office of which he or
17 she is an incumbent by filing with the secretary of state an
18 affidavit of candidacy in lieu of nominating petitions not less
19 than 134 days prior to the date of the primary election. However,
20 **UNTIL DECEMBER 31, 2013,** if an incumbent district court judge was
21 appointed to fill a vacancy and the judge entered upon the duties
22 of office less than 137 days before the date of the primary
23 election but before the fourteenth Tuesday ~~preceding~~ **BEFORE** the
24 primary election, the incumbent judge may file the affidavit of
25 candidacy not more than 3 days after entering upon the duties of
26 office. **BEGINNING JANUARY 1, 2014, IF AN INCUMBENT DISTRICT COURT**
27 **JUDGE WAS APPOINTED TO FILL A VACANCY AND THE JUDGE ENTERED UPON**

1 THE DUTIES OF THE OFFICE LESS THAN 137 DAYS BEFORE THE DATE OF
2 THE PRIMARY ELECTION BUT BEFORE THE FIFTEENTH TUESDAY BEFORE THE
3 PRIMARY ELECTION, THE INCUMBENT JUDGE MAY FILE THE AFFIDAVIT OF
4 CANDIDACY NOT MORE THAN 3 DAYS AFTER ENTERING UPON THE DUTIES OF
5 OFFICE. The affidavit of candidacy shall contain statements that
6 the affiant is an incumbent district court judge for the district
7 or election division in which election is sought, that he or she
8 is domiciled within the district or election division, and that
9 he or she will not attain the age of 70 by the date of election,
10 and a declaration that the affiant is a candidate for election to
11 the office of district court judge.

12 (2) There shall be printed upon the ballot under the name of
13 each incumbent district judge who is a candidate for nomination
14 or election to the same office the designation of that office.

15 (3) In the primary and general election for 2 or more
16 judgeships of the district court, each of the following
17 categories of candidates shall be listed separately on the
18 ballot, consistent with subsection (4):

19 (a) The names of candidates for the judgeship or judgeships
20 for which the incumbent is seeking election.

21 (b) The names of candidates for an existing judgeship or
22 judgeships for which the incumbent is not seeking election.

23 (c) The names of candidates for a newly created judgeship or
24 judgeships.

25 (4) If the death or disqualification of an incumbent judge
26 triggers the application of section 467e(2), then for the
27 purposes of subsection (3) and section 467b(2), that judgeship

Senate Bill No. 823 (S-2) as amended June 12, 2012

1 shall be regarded as a judgeship for which the incumbent judge is
 2 not seeking election. The application of this subsection
 3 includes, but is not limited to, circumstances in which the
 4 governor appoints an individual to fill the vacancy and that
 5 individual seeks to qualify as a nominee under section 467e(2).

[Sec. 477. (1) The board of state canvassers shall make an official declaration of the sufficiency or insufficiency of a petition under this chapter at least 2 months before the election at which the proposal is to be submitted. If the board of state canvassers declares that the petition is sufficient, the secretary of state shall send copies of the statement of purpose of the proposal as approved by the board of state canvassers ~~under section 474~~ to the several daily and weekly newspapers published in this state, with the request that the newspapers give as wide publicity as possible to the proposed amendment or other question. Publication of any matter by any newspaper under this section shall be without expense or cost to the state of Michigan.

(2) For the purposes of the second paragraph of section 9 of article II of the state constitution of 1963, a law that is the subject of the referendum continues to be effective until the referendum is properly invoked, which occurs when the board of state canvassers makes its official declaration of the sufficiency of the referendum petition. The board of state canvassers shall complete the canvass of a referendum petition within 60 days after the petition is filed with the secretary of state, except that 1 15-day extension may be granted by the secretary of state if necessary to complete the canvass.

Sec. 480. ~~Whenever~~ **IF** a proposed constitutional amendment or other special question is to be submitted to the electors of ~~the~~ **THIS** state for a popular vote, the secretary of state shall, not less than ~~49~~ **60** days before the **DATE OF THE ELECTION AT WHICH THE PROPOSED CONSTITUTIONAL AMENDMENT OR OTHER SPECIAL QUESTION IS TO BE SUBMITTED**, certify the ~~same~~ **STATEMENT OF THE PURPOSE FOR DESIGNATION ON THE BALLOT** to the clerk of each county in ~~the~~ **THIS** state, together with the form in which ~~such~~ **THE CONSTITUTIONAL** amendment or other special questions shall be ~~submitted~~ **PRINTED ON THE BALLOT**. The secretary of state shall also furnish the ~~several~~ county clerks in ~~the~~ **THIS** state 2 copies of the text of each **CONSTITUTIONAL** amendment or **OTHER SPECIAL** question and 2 copies of each ~~said~~ statement for each voting precinct in their respective counties. ~~The~~ **EACH** county clerk shall furnish the ~~said~~ copies of ~~such~~ **THE** statement to the ~~several~~ township and city clerks in his **OR HER** county at the time other supplies for the election are furnished. ~~and each such~~ **EACH** township or city clerk shall, before the opening of the polls on election day, deliver the copies of ~~such~~ **THE** text and statement to which each voting precinct in his **OR HER** township or city is entitled to the board of election inspectors of ~~said~~ **THE** precinct, who shall post the same in conspicuous places in the room where ~~such~~ **THE** election is held.]

6 **SEC. 483A. (1) THE PETITION SPONSOR OF A PETITION PROPOSING**
 7 **AN AMENDMENT TO THE CONSTITUTION OR TO INITIATE LEGISLATION SHALL**
 8 **FILE THE PETITION OR AN AMENDED PETITION WITH THE SECRETARY OF**
 9 **STATE.**

10 **(2) THE PETITION SPONSOR OF A PETITION PROPOSING AN**

Senate Bill No. 823 (S-2) as amended June 12, 2012

11 AMENDMENT TO THE CONSTITUTION OR TO INITIATE LEGISLATION SHALL
12 NOT CIRCULATE A PETITION OR AN AMENDED PETITION FOR SIGNATURES
13 UNTIL THE PETITION OR AMENDED PETITION IS FILED WITH THE
14 SECRETARY OF STATE AS REQUIRED IN SUBSECTION (1).

15 (3) THE SECRETARY OF STATE SHALL MAKE THE MOST RECENT
16 SUBMISSION OF THE PETITION LANGUAGE FILED UNDER SUBSECTION (1)
17 AVAILABLE TO THE PUBLIC ON AN INTERNET WEBSITE MAINTAINED BY THE
18 DEPARTMENT OF STATE.

19 (4) THIS SECTION TAKES EFFECT JANUARY 1, 2013.

20 Sec. 551. ~~The~~ UNTIL DECEMBER 31, 2013, THE secretary of
21 state and the various county, township, and city clerks shall
22 receive nominating petitions or filing fees filed in accordance
23 with the provisions of ~~UNDER~~ this act up to 4 p.m., eastern
24 standard time, of the twelfth Tuesday ~~preceding~~ BEFORE the August
25 primary. BEGINNING JANUARY 1, 2014, THE SECRETARY OF STATE AND
26 THE VARIOUS COUNTY, TOWNSHIP, AND CITY CLERKS SHALL RECEIVE
27 NOMINATING PETITIONS OR FILING FEES FILED UNDER THIS ACT UP TO 4

Senate Bill No. 823 (S-2) as amended June 12, 2012

1 P.M., EASTERN STANDARD TIME, OF THE FIFTEENTH TUESDAY BEFORE THE
2 AUGUST PRIMARY. The provisions of this section do not apply to a
3 city that does not nominate its officers under the provisions of
4 this act.

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20 Sec. 624. (1) A person holding a public office in this state
21 or a municipal subdivision of this state may become a candidate
22 for delegate to the county or district conventions.

23 (2) A candidate for delegate to the county or district
24 conventions of a political party shall be a qualified and
25 registered elector residing within, as well as having his or her
26 actual bona fide residence within, the election precinct for
27 which he or she desires to become a candidate on the filing

1 deadline. ~~A-UNTIL DECEMBER 31, 2013, A~~ candidate shall file an
2 affidavit of identity as prescribed in section 558(1) with the
3 county clerk of the county or the clerk of the city or township
4 in which the candidate resides. ~~A-BEGINNING JANUARY 1, 2014, A~~
5 **CANDIDATE SHALL FILE AN AFFIDAVIT OF IDENTITY AS PRESCRIBED IN**
6 **SECTION 558(1) WITH THE COUNTY CLERK OF THE COUNTY IN WHICH THE**
7 **CANDIDATE RESIDES. UNTIL DECEMBER 31, 2013, A** clerk shall receive
8 affidavits of identity under this section up to 4 p.m. on the
9 twelfth Tuesday ~~preceding~~~~BEFORE~~ the time designated for holding
10 a primary election in the county. ~~Within~~~~BEGINNING JANUARY 1,~~
11 **2014, A COUNTY CLERK SHALL RECEIVE AFFIDAVITS OF IDENTITY UNDER**
12 **THIS SECTION UP TO 4 P.M. ON THE THIRTEENTH TUESDAY BEFORE THE**
13 **TIME DESIGNATED FOR HOLDING A PRIMARY ELECTION IN THE COUNTY.**
14 **UNTIL DECEMBER 31, 2013, WITHIN 4** days after the last day for
15 filing affidavits of identity under this section, the city or
16 township clerk shall forward to the county clerk the affidavit of
17 identity of each candidate who has qualified for a position on
18 the primary ballot. All duly elected and certified delegates
19 shall be seated at the county or district county conventions. A
20 person violating this section is guilty of a misdemeanor.

21 (3) If a written complaint is made to the county clerk with
22 respect to the registration or bona fide residence, or both, of a
23 candidate, the county clerk shall check with the township or city
24 clerk of the township or city in which the candidate is
25 registered or residing, or both. The township or city clerk shall
26 report back to the county clerk within 48 hours as to the
27 registration or bona fide residence, or both, of the candidate.

1 If the township or city clerk's report shows that the candidate
2 is not a registered elector or a bona fide resident of the
3 election precinct of the township or city for which the petition
4 shows the candidate is a resident, the county clerk shall remove
5 the name of the candidate from the ballot. A complaint received
6 by the county clerk after the ballots have been released for
7 printing and before the primary election shall not be acted upon.

8 Sec. 644e. Except as provided in section 642, an officer
9 required to be elected at the odd year general election shall be
10 nominated at the odd year primary election. ~~If UNTIL DECEMBER 31,~~
11 **2013, IF** a charter provides for nomination by caucus or by filing
12 a petition or affidavit directly for the general election, the
13 candidate filing deadline or certification deadline shall be 4
14 p.m. on the twelfth Tuesday before the odd year general election.

15 ~~If BEGINNING JANUARY 1, 2014, IF A CHARTER PROVIDES FOR~~
16 **NOMINATION BY CAUCUS OR BY FILING A PETITION OR AFFIDAVIT**
17 **DIRECTLY FOR THE GENERAL ELECTION, THE CANDIDATE FILING DEADLINE**
18 **OR CERTIFICATION DEADLINE SHALL BE 4 P.M. ON THE FIFTEENTH**
19 **TUESDAY BEFORE THE ODD YEAR GENERAL ELECTION. UNTIL DECEMBER 31,**
20 **2013, IF** a charter provides for the election at the primary of a
21 candidate who receives more than 50% of the votes cast for that
22 office, the candidate filing deadline or certification deadline
23 shall be 4 p.m. on the twelfth Tuesday before the primary.

24 **BEGINNING JANUARY 1, 2014, IF A CHARTER PROVIDES FOR THE ELECTION**
25 **AT THE PRIMARY OF A CANDIDATE WHO RECEIVES MORE THAN 50% OF THE**
26 **VOTES CAST FOR THAT OFFICE, THE CANDIDATE FILING DEADLINE OR**
27 **CERTIFICATION DEADLINE SHALL BE 4 P.M. ON THE FIFTEENTH TUESDAY**

1 **BEFORE THE PRIMARY.**

2 Sec. 644f. (1) ~~Except~~**UNTIL DECEMBER 31, 2013, AND EXCEPT** as
 3 provided in section 644e, nominating petitions for offices to be
 4 filled at the odd year general election shall be filed by 4 p.m.
 5 on the twelfth Tuesday ~~prior to~~**BEFORE** the odd year primary
 6 election. **BEGINNING JANUARY 1, 2014, AND EXCEPT AS PROVIDED IN**
 7 **SECTION 644E, NOMINATING PETITIONS FOR OFFICES TO BE FILLED AT**
 8 **THE ODD YEAR GENERAL ELECTION SHALL BE FILED BY 4 P.M. ON THE**
 9 **FIFTEENTH TUESDAY BEFORE THE ODD YEAR PRIMARY ELECTION.** The place
 10 of filing and the number of signatures shall be the same as is
 11 now required by law for such offices.

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

15 (3) If, upon the expiration of the time for filing
 16 nonpartisan petitions, not more than twice the number of
 17 candidates as there are persons to be elected to that office have
 18 filed, the primary for that office shall not be held and those
 19 persons filing valid petitions shall be declared the nominees for
 20 the offices, unless a city charter provides otherwise for city
 21 offices.

22 Sec. 712. ~~In case~~**IF** the name of any candidate regularly
 23 certified to ~~said~~**THE** board of election commissioners ~~shall have~~
 24 ~~been~~**IS** omitted from ~~such~~**THE** ballots, or ~~in case~~**IF** it is found
 25 that a mistake has been made in the printing of the name of any
 26 candidate on ~~said~~**THE** ballot, ~~said~~**THE** board of election
 27 commissioners shall ~~furnish pasters containing the name of such~~

1 ~~candidate and the same shall be placed upon the ballots in the~~
2 ~~same manner as provided in the case of a candidate selected to~~
3 ~~fill a vacancy.~~ **HAVE THE BALLOTS REPRINTED WITH THE CANDIDATE'S**
4 **NAME ON THE BALLOTS.**

5 Sec. 737a. (1) Except as otherwise provided in this section,
6 the board of election inspectors shall not count a write-in vote
7 for a person unless that person has filed a declaration of intent
8 to be a write-in candidate as provided in this section. The
9 write-in candidate shall file the declaration of intent to be a
10 write-in candidate with the filing official for that elective
11 office on or before 4 p.m. on the second Friday immediately
12 before the election. The secretary of state, immediately after
13 the 4 p.m. filing deadline under this subsection, shall prepare
14 and have delivered a list of all persons who have filed a
15 declaration of intent to be a write-in candidate under this
16 subsection, if any, to the appropriate county clerks. A filing
17 official other than the secretary of state who receives a
18 declaration of intent to be a write-in candidate or list of
19 persons who filed a declaration of intent from another filing
20 official under this subsection shall prepare and have delivered a
21 list of all persons who have filed a declaration of intent to be
22 a write-in candidate to the board of election inspectors in the
23 appropriate precincts before the close of the polls on election
24 day.

25 (2) If a candidate whose name is printed on the official
26 ballot for the election dies or is otherwise disqualified ~~on or~~
27 after ~~the Wednesday~~ **4 P.M. ON THE SECOND FRIDAY** immediately

1 before the election, the requirement of filing a declaration of
2 intent to be a write-in candidate under subsection (1) does not
3 apply to a write-in candidate. If a death or disqualification has
4 occurred as described in this subsection, the board of election
5 inspectors shall count all write-in votes for write-in candidates
6 for the office sought by the deceased or disqualified candidate.

7 (3) Subsections (1) and (2) do not apply to a write-in
8 candidate for precinct delegate. The board of election inspectors
9 shall not count a write-in vote for a write-in candidate for
10 precinct delegate unless that candidate has filed a declaration
11 of intent to be a write-in candidate as provided in this
12 subsection. A write-in candidate for precinct delegate shall file
13 a declaration of intent to be a write-in candidate with the
14 appropriate city or township clerk for that precinct on or before
15 4 p.m. on the Friday immediately before the election or with the
16 board of election inspectors in the appropriate precinct before
17 the close of the polls on election day. A city or township clerk
18 who receives a declaration of intent to be a write-in candidate
19 from a write-in candidate for precinct delegate under this
20 subsection shall prepare and have delivered a list of all persons
21 who have filed a declaration of intent to be a write-in candidate
22 to the board of election inspectors in the appropriate precincts
23 before the close of the polls on election day.

24 (4) The secretary of state shall prescribe forms for the
25 declaration of intent to be a write-in candidate. Clerks shall
26 maintain a supply of declaration of intent to be a write-in
27 candidate forms in the clerk's office and make the forms

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1 available in the polling places during the August primary for
2 this purpose. The declaration of intent to be a write-in
3 candidate form shall include all of the following information:

4 (a) The name of the person intending to be a write-in
5 candidate.

6 (b) The elective office that the person seeks as a write-in
7 candidate.

8 (c) The residence address of the person seeking elective
9 office as a write-in candidate.

10 (d) Other information the secretary of state considers
11 appropriate.

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2 SEC. 932C. (1) A PERSON SHALL NOT PROVIDE COMPENSATION TO
3 ANOTHER PERSON FOR REGISTERING INDIVIDUALS TO VOTE THAT IS BASED
4 UPON ANY OF THE FOLLOWING:

5 (A) THE TOTAL NUMBER OF INDIVIDUALS A PERSON REGISTERS TO
6 VOTE.

7 (B) THE TOTAL NUMBER OF INDIVIDUALS A PERSON REGISTERS TO
8 VOTE IN A PARTICULAR POLITICAL PARTY.

9 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY
10 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR A FINE OF
11 NOT MORE THAN \$1,000.00, OR BOTH.

12 SEC. 932E. (1) A PERSON SHALL NOT INTENTIONALLY MISREPRESENT
13 BY WORD OR ACT IN A POLLING PLACE ON ELECTION DAY THAT HE OR SHE
14 IS AN ELECTION OFFICIAL IF THAT PERSON IS NOT AN ELECTION
15 OFFICIAL.

16 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
17 FELONY.

18 Sec. 973. (1) Party candidates shall be nominated as
19 follows: ~~in case~~

20 (A) ~~IF~~ the vacancy to be filled ~~be~~-**IS** in a state office or
21 ~~that~~-**IN THE OFFICE** of United States senator, the state central
22 committee of each political party shall nominate a candidate
23 ~~therefor, in case such~~-**FOR THAT OFFICE**.

24 (B) ~~IF THE~~ vacancy ~~be~~-**IS** in a county office or in a district
25 office within an electoral district of 1 county, the county
26 **EXECUTIVE** committee of each political party shall nominate a
27 candidate ~~therefor, in case such~~-**FOR THAT OFFICE**.

1 (C) IF THE vacancy ~~be~~ IS in a district office within an
2 electoral district less than 1 county AND 3 OR MORE MEMBERS OF
3 THE COUNTY EXECUTIVE COMMITTEE OF A POLITICAL PARTY RESIDE IN THE
4 ELECTORAL DISTRICT, the members of the county EXECUTIVE committee
5 of each ~~THAT~~ political party residing in ~~such~~ THE electoral
6 district shall nominate the candidate ~~therefor~~; if the office to
7 ~~be filled be~~ FOR THAT OFFICE. IF THE VACANCY IS IN A DISTRICT
8 OFFICE WITHIN AN ELECTORAL DISTRICT LESS THAN 1 COUNTY AND LESS
9 THAN 3 MEMBERS OF THE COUNTY EXECUTIVE COMMITTEE OF A POLITICAL
10 PARTY RESIDE IN THE ELECTORAL DISTRICT, THE COUNTY EXECUTIVE
11 COMMITTEE OF THAT POLITICAL PARTY SHALL NOMINATE A CANDIDATE FOR
12 THAT OFFICE.

13 (D) IF THE VACANCY IS IN a district office having an
14 electoral district in more than 1 county, the members of the
15 several county EXECUTIVE committees of each political party
16 residing in those parts of ~~such~~ THE counties ~~which~~ THAT are in
17 ~~such~~ THE district shall nominate a candidate for ~~the~~ THAT office.
18 ; and if such

19 (E) IF THE vacancy ~~be~~ IS in a ward or township office AND 3
20 OR MORE MEMBERS OF THE COUNTY EXECUTIVE COMMITTEE OF A POLITICAL
21 PARTY RESIDE IN THE WARD OR TOWNSHIP, the MEMBERS OF THE COUNTY
22 EXECUTIVE committee of each ~~THAT~~ political party ~~thereof~~ RESIDING
23 IN THE WARD OR TOWNSHIP shall nominate a candidate for ~~such~~ THAT
24 office. IF THE VACANCY IS IN A WARD OR TOWNSHIP OFFICE AND LESS
25 THAN 3 MEMBERS OF THE COUNTY EXECUTIVE COMMITTEE OF A POLITICAL
26 PARTY RESIDE IN THE WARD OR TOWNSHIP, THE COUNTY EXECUTIVE
27 COMMITTEE OF THAT POLITICAL PARTY SHALL NOMINATE A CANDIDATE FOR

Senate Bill No.823 as amended February 8, 2012
as amended June 12, 2012

1 **THAT OFFICE.**

2 (2) All nominations by ~~such~~**A** committee **UNDER SUBSECTION (1)**
3 shall be certified to the officer with whom the recall petitions
4 were filed within 15 days after the calling of the special
5 election.

6 [Enacting section 1. Sections 343a, 474, 649, and 707 of the
7 Michigan election law, 1954 PA 116, MCL 168.343a, 168.474, 168.649,
and 168.707, are repealed.
<<Enacting section 2. This amendatory act takes effect August 16,
2012.]>>