

SENATE BILL No. 823

November 10, 2011, Introduced by Senator ROBERTSON and referred to the Committee on Local Government and Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 198, 326, 352, 624, 759, 931, and 973 (MCL 168.198, 168.326, 168.352, 168.624, 168.759, 168.931, and 168.973), section 624 as amended by 1999 PA 218, section 759 as amended by 1995 PA 261, and section 931 as amended by 1996 PA 583, and by adding sections 483a, 871b, 932c, and 932e; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

1 he **OR SHE** has ~~removed~~**MOVED** from the county or has become
2 physically unfit.

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

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

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

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

1 Sec. 326. ~~When any~~ **IF A** candidate of a political party for
 2 ~~any~~ **A** city office, after having qualified as a candidate, ~~shall~~
 3 ~~die,~~ **DIES** after the last day for qualifying, leaving ~~such~~ **THE**
 4 **POLITICAL** party without a candidate for the office, a candidate
 5 to fill the vacancy ~~thereby caused~~ may be selected by the members
 6 of the ~~city~~ **COUNTY EXECUTIVE** committee, ~~and the~~ **OF THE**
 7 **CANDIDATE'S POLITICAL PARTY RESIDING IN THE CITY. THE** name of the
 8 candidate ~~so~~ selected shall be transmitted to the city officials
 9 required by law to print and distribute ballots, and ~~such~~ **THE**
 10 city officials shall cause to be printed a sufficient number of
 11 gummed labels or stickers bearing the name of the candidate ~~and~~
 12 which shall be distributed to the various voting precincts within
 13 ~~their~~ **THE** city. ~~and the~~ **THE** board of election inspectors of
 14 each ~~such~~ precinct shall cause 1 of ~~such~~ **THE** stickers to be
 15 placed on each ballot over the name of the candidate who has died
 16 before ~~such~~ **THE** ballot is handed to the elector.

17 Sec. 352. ~~When any~~ **IF A** candidate of a political party for
 18 ~~any~~ **A** township office, after having qualified as a candidate,
 19 ~~shall die,~~ **DIES** after the last day for qualifying, leaving ~~such~~
 20 **THE POLITICAL** party without a candidate for a township office, a
 21 candidate to fill the vacancy ~~thereby caused~~ may be selected by
 22 the members of the ~~township~~ **COUNTY EXECUTIVE** committee of ~~such~~
 23 **THE** candidate's political party ~~for~~ **RESIDING IN** the township. ~~and~~
 24 ~~and the~~ **THE** name of the candidate ~~so~~ selected shall be
 25 transmitted to the township officials required by law to print
 26 and distribute ballots, and ~~such~~ **THE** township officials shall
 27 cause to be printed a sufficient number of gummed labels or

1 stickers bearing the name of the candidate ~~which~~ shall be
 2 distributed to the various voting precincts within ~~their~~
 3 ~~respective~~ ~~THE~~ township. ~~and the~~ ~~THE~~ board of election
 4 inspectors of each ~~such~~ precinct shall cause 1 of ~~such~~ ~~THE~~
 5 stickers to be placed on each ballot ~~over~~ the name of the
 6 candidate who has died ~~before~~ ~~such~~ ~~THE~~ ballot is handed to the
 7 elector.

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

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

15 **(3) THE SECRETARY OF STATE SHALL MAKE THE PETITIONS FILED**
 16 **UNDER SUBSECTION (1) AVAILABLE TO THE PUBLIC ON AN INTERNET**
 17 **WEBSITE MAINTAINED BY THE DEPARTMENT OF STATE. IN ADDITION, THE**
 18 **SECRETARY OF STATE SHALL PREPARE A SAMPLE PETITION AND MAKE THAT**
 19 **SAMPLE PETITION AVAILABLE TO THE PUBLIC ON AN INTERNET WEBSITE**
 20 **MAINTAINED BY THE DEPARTMENT OF STATE.**

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

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

1 which he or she desires to become a candidate on the filing
2 deadline. A candidate shall file an affidavit of identity as
3 prescribed in section 558(1) with the county clerk of the county
4 or the clerk of the city or township in which the candidate
5 resides. A clerk shall receive affidavits of identity under this
6 section up to 4 p.m. on the ~~twelfth~~**ELEVENTH** Tuesday ~~preceeding~~
7 **BEFORE** the time designated for holding a primary election in the
8 county. Within 4 days after the last day for filing affidavits of
9 identity under this section, the city or township clerk shall
10 forward to the county clerk the affidavit of identity of each
11 candidate who has qualified for a position on the primary ballot.
12 All duly elected and certified delegates shall be seated at the
13 county or district county conventions. A person violating this
14 section is guilty of a misdemeanor.

15 (3) If a written complaint is made to the county clerk with
16 respect to the registration or bona fide residence, or both, of a
17 candidate, the county clerk shall check with the township or city
18 clerk of the township or city in which the candidate is
19 registered or residing, or both. The township or city clerk shall
20 report back to the county clerk within 48 hours as to the
21 registration or bona fide residence, or both, of the candidate.
22 If the township or city clerk's report shows that the candidate
23 is not a registered elector or a bona fide resident of the
24 election precinct of the township or city for which the petition
25 shows the candidate is a resident, the county clerk shall remove
26 the name of the candidate from the ballot. A complaint received
27 by the county clerk after the ballots have been released for

1 printing and before the primary election shall not be acted upon.

2 Sec. 759. (1) At any time during the 75 days before a
3 primary or special primary, but not later than 2 p.m. of the
4 Saturday immediately before the primary or special primary, an
5 elector who qualifies to vote as an absent voter, as defined in
6 section 758, may apply for an absent voter ballot. The elector
7 shall apply in person or by mail with the clerk of the township,
8 city, or village in which the elector is registered. An
9 application received before a primary or special primary may be
10 for either that primary only, or for that primary and the
11 election that follows.

12 (2) Except as otherwise provided in subsection (1), at
13 anytime during the 75 days before an election, but not later than
14 2 p.m. of the Saturday before the election, an elector who
15 qualifies to vote as an absent voter, as defined in section 758,
16 may apply for an absent voter ballot. The elector shall apply in
17 person or by mail with the clerk of the township, city, or
18 village in which the voter is registered.

19 (3) An application for an absent voter ballot under this
20 section may be made in any of the following ways:

21 (a) By a written request signed by the voter stating the
22 statutory grounds for making the application.

23 (b) On an absent voter ballot application form provided for
24 that purpose by the clerk of the city, township, or village.

25 (c) On a federal postcard application.

26 (4) An applicant for an absent voter ballot shall sign the
27 application. A clerk or assistant clerk shall not deliver an

1 absent voter ballot to an applicant who does not sign the
2 application. A person ~~other than~~ **SHALL NOT BE IN POSSESSION OF A**
3 **SIGNED ABSENT VOTER BALLOT APPLICATION EXCEPT FOR** the applicant;
4 a member of the applicant's immediate family; a person residing
5 in the applicant's household; a person whose job normally
6 includes the handling of mail, but only during the course of his
7 or her employment; a registered elector requested by the
8 applicant **TO RETURN THE APPLICATION**; or a clerk, assistant of the
9 clerk, or other authorized election official. ~~shall not be in~~
10 ~~possession of a signed absent voter ballot application.~~ A
11 registered elector who is requested by the applicant to return
12 his or her absent voter ballot application shall sign the
13 certificate on the absent voter ballot application.

14 (5) The clerk of ~~the~~ **A** city, township, or village shall have
15 absent voter ballot application forms available in the **CLERK'S**
16 office ~~of the clerk~~ at all times and shall furnish an absent
17 voter ballot application form to anyone upon a verbal or written
18 request. **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE**
19 **CLERK OF A CITY, TOWNSHIP, OR VILLAGE SHALL NOT FORWARD AN ABSENT**
20 **VOTER BALLOT APPLICATION TO AN ELECTOR UNLESS AN ELECTOR REQUESTS**
21 **AN ABSENT VOTER BALLOT APPLICATION FORM FOR THE NEXT ELECTION.**
22 **SUBJECT TO THE LIMITATIONS AND REQUIREMENTS OF THIS SUBSECTION,**
23 **THE CLERK OF A CITY, TOWNSHIP, OR VILLAGE MAY MAINTAIN A**
24 **PERMANENT ABSENT VOTER LIST. ONLY A QUALIFIED AND REGISTERED**
25 **ELECTOR WHO IS 60 YEARS OF AGE OR OLDER MAY REQUEST TO BE PLACED**
26 **ON A PERMANENT ABSENT VOTER LIST. THE CLERK OF A CITY, TOWNSHIP,**
27 **OR VILLAGE MAY SEND TO EACH QUALIFIED AND REGISTERED ELECTOR ON**

1 THE PERMANENT ABSENT VOTER LIST AN ABSENT VOTER BALLOT
 2 APPLICATION FOR EACH ELECTION ONLY IF AT LEAST 60 DAYS BEFORE
 3 EACH ELECTION THE CLERK REVIEWS THE PERMANENT ABSENT VOTER LIST
 4 AND CONFIRMS THAT EACH INDIVIDUAL ON THE PERMANENT ABSENT VOTER
 5 LIST IS A QUALIFIED AND REGISTERED ELECTOR WHO IS 60 YEARS OF AGE
 6 OR OLDER AND, BEFORE EACH ELECTION, THE CLERK SENDS WRITTEN
 7 VERIFICATION OF THE REVIEW OF THE PERMANENT ABSENT VOTER LIST TO
 8 THE SECRETARY OF STATE ON A FORM PRESCRIBED BY THE SECRETARY OF
 9 STATE. IF THE CLERK OF A CITY, TOWNSHIP, OR VILLAGE FAILS TO
 10 COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION, THAT CLERK IS
 11 PRECLUDED FROM MAINTAINING AND USING A PERMANENT ABSENT VOTER
 12 LIST. The absent voter ballot application shall be in
 13 substantially the following form:

14 "Application for absent voter ballot for:
 15 [] The primary or special primary election to be held on
 16 , 19.... . _____ (DATE) .

17 [] The election to be held on , 19.... . _____
 18 (DATE) .

19 (Check applicable election or elections)

20 I, , a qualified and
 21 registered elector of the precinct of the township
 22 of or village of or of the
 23 ward of the city of , in the
 24 county of and state of
 25 Michigan, apply for an official ballot, or ballots, to be voted
 26 by me at the election or elections as requested in this
 27 application.

1 The statutory grounds on which I base my request are:

2 [] I expect to be absent from the community in which I am
3 registered for the entire time the polls are open on election
4 day.

5 [] I am physically unable to attend the polls without the
6 assistance of another.

7 [] I cannot attend the polls because of the tenets of my
8 religion.

9 [] I have been appointed an election precinct inspector in
10 a precinct other than the precinct where I reside.

11 [] I am 60 years of age or older.

12 [] I cannot attend the polls because I am confined to jail
13 awaiting arraignment or trial.

14 (Check applicable reason)

15 Send absent voter ballot to me at:

16
17 (Street No. or R.R.)

18
19 (Post Office) (State)

20 My registered address
21 (Street No. or R.R.)

22
23 (Post Office) (State)

24 Date.....

25 I ~~declare~~ **CERTIFY** that the statements in this absent voter
26 ballot application are true application are true.

27
28 (Signature)

29 WARNING

1 A person making a false statement in this absent voter
2 ballot application is guilty of a misdemeanor. It is a violation
3 of Michigan election law for a person other than those listed in
4 the instructions to return, offer to return, agree to return, or
5 solicit to return your absent voter ballot application to the
6 clerk. An assistant authorized by the clerk who receives absent
7 voter ballot applications at a location other than the **CLERK'S**
8 office ~~of the clerk~~ must have credentials signed by the clerk.
9 Ask to see his or her credentials before entrusting your
10 application with a person claiming to have the clerk's
11 authorization to return your application.

12 Certificate of Authorized Registered
13 Elector Returning Absent Voter
14 Ballot Application

15 I certify that my name is , my address
16 is , and my date of birth is ;
17 that I am delivering the absent voter ballot application of
18 at his or her request; that I did not
19 solicit or request to return the application; that I have not
20 made any markings on the application; that I have not altered the
21 application in any way; that I have not influenced the applicant;
22 and that I am aware that a false statement in this certificate is
23 a violation of Michigan election law.

24 _____
25 (Date) (Signature) "

1 (6) The following instructions for an applicant for an
2 absent voter ballot shall be included with each application
3 furnished an applicant:

4 INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS

5 Step 1. After completely filling out the application, sign
6 and date the application in the place designated. Your signature
7 must appear on the application or you will not receive an absent
8 voter ballot.

9 Step 2. Deliver the application by 1 of the following
10 methods:

11 (a) Place the application in an envelope addressed to the
12 appropriate clerk and place the necessary postage upon the return
13 envelope and deposit it in the United States mail or with another
14 public postal service, express mail service, parcel post service,
15 or common carrier.

16 (b) Deliver the application personally to the **CLERK'S**
17 office, ~~of the clerk,~~ to the clerk, or to an authorized assistant
18 of the clerk.

19 (c) In either (a) or (b), a member of the immediate family
20 of the voter including a father-in-law, mother-in-law, brother-
21 in-law, sister-in-law, son-in-law, daughter-in-law, grandparent,
22 or grandchild or a person residing in the voter's household may
23 mail or deliver the application to the clerk for the applicant.

24 (d) ~~In the event~~ **IF** an applicant cannot return the
25 application in any of the above methods, the applicant may select
26 any registered elector to return the application. The person

1 returning the application must sign and return the certificate at
2 the bottom of the application.

3 (7) A person who prints and distributes absent voter ballot
4 applications shall print on the application the warning,
5 certificate of authorized registered elector returning absent
6 voter ballot application, and instructions required by this
7 section.

8 (8) A person who makes a false statement in an absent voter
9 ballot application is guilty of a misdemeanor. A person who
10 forges a signature on an absent voter ballot application is
11 guilty of a felony. A person who is not authorized in this act
12 and who both distributes absent voter ballot applications to
13 absent voters and returns those absent voter ballot applications
14 to a clerk or assistant of the clerk is guilty of a misdemeanor.

15 **SEC. 871B. IF THE RECOUNT OF ANY PRECINCT DOES NOT MATCH THE**
16 **ORIGINAL RETURN OF THE VOTES FOR THAT PRECINCT, THEN AN**
17 **ADDITIONAL RECOUNT OF THAT PRECINCT SHALL OCCUR AND THE RESULTS**
18 **OF THE ADDITIONAL RECOUNT OF THAT PRECINCT SHALL CONTROL.**

19 Sec. 931. (1) A person who violates 1 or more of the
20 following subdivisions is guilty of a misdemeanor:

21 (a) A person shall not, either directly or indirectly, give,
22 lend, or promise valuable consideration ~~to~~ or for any person ~~to~~
23 as an inducement to influence the manner of voting by a person
24 relative to a candidate or ballot question ~~to~~ or as a reward for
25 refraining from voting.

26 (b) A person shall not, either before, on, or after an
27 election, for the person's own benefit or on behalf of any other

1 person, receive, agree, or contract for valuable consideration
2 for 1 or more of the following:

3 (i) Voting or agreeing to vote, or inducing or attempting to
4 induce another to vote, at an election.

5 (ii) Refraining or agreeing to refrain, or inducing or
6 attempting to induce another to refrain, from voting at an
7 election.

8 (iii) Doing anything prohibited by this act.

9 (iv) Both distributing absent voter ballot applications to
10 voters and receiving signed applications from voters for delivery
11 to the appropriate clerk or assistant of the clerk. This
12 subparagraph does not apply to an authorized election official.

13 (c) A person shall not solicit any valuable consideration
14 from a candidate for nomination for, or election to, an office
15 described in this act. This subdivision does not apply to
16 requests for contributions of money by or to an authorized
17 representative of the political party committee of the
18 organization to which the candidate belongs. This subdivision
19 does not apply to a regular business transaction between a
20 candidate and any other person that is not intended for, or
21 connected with, the securing of votes or the influencing of
22 voters in connection with the nomination or election.

23 (d) A person shall not, either directly or indirectly,
24 discharge or threaten to discharge an employee of the person for
25 the purpose of influencing the employee's vote at an election.

26 (e) A priest, pastor, curate, or other officer of a
27 religious society shall not, for the purpose of influencing a

1 voter at an election, impose or threaten to impose upon the voter
2 a penalty of excommunication, dismissal, or expulsion ~~or~~
3 command or advise the voter ~~under pain of religious~~
4 disapproval.

5 (f) A person shall not hire a motor vehicle or other
6 conveyance or cause the same to be done, for conveying voters,
7 other than voters physically unable to walk, to an election.

8 (g) In a city, township, village, or school district that
9 has a board of election commissioners authorized to appoint
10 **ELECTION** inspectors, ~~of election,~~ an **ELECTION** inspector, ~~of~~
11 ~~election,~~ a clerk, or other election official who accepts an
12 appointment as an **ELECTION** inspector ~~of election~~ shall not fail
13 to report at the polling place designated on election morning at
14 the time specified by the board of election commissioners, unless
15 excused as provided in this subdivision. A person who violates
16 this subdivision is guilty of a misdemeanor ~~punishable by a~~
17 fine of not more than \$10.00 or imprisonment for not more than 10
18 days, or both. An **ELECTION** inspector, ~~of election,~~ clerk, or
19 other election official who accepts an appointment as an **ELECTION**
20 inspector ~~of election~~ is excused for failing to report at the
21 polling place on election day and is not subject to a fine or
22 imprisonment under this subdivision if 1 or more of the following
23 requirements are met:

24 (i) The **ELECTION** inspector, ~~of election,~~ clerk, or other
25 election official notifies the board of election commissioners or
26 other officers in charge of elections of his or her inability to
27 serve at the time and place specified, 3 days or more before the

1 election.

2 (ii) The **ELECTION** inspector, ~~of election,~~ clerk, or other
3 election official is excused from duty by the board of election
4 commissioners or other officers in charge of elections for cause
5 shown.

6 (h) A person shall not willfully fail to perform a duty
7 imposed upon that person by this act ~~,~~ or disobey a lawful
8 instruction or order of the secretary of state as chief state
9 election officer or of a board of county election commissioners,
10 board of city election commissioners, or board of **ELECTION**
11 inspectors. ~~of election.~~

12 (i) A delegate or member of a convention shall not solicit a
13 candidate for nomination before the convention for money, reward,
14 position, place, preferment, or other valuable consideration in
15 return for support by the delegate or member in the convention. A
16 candidate or other person shall not promise or give to a delegate
17 money, reward, position, place, preferment, or other valuable
18 consideration in return for support by or vote of the delegate in
19 the convention.

20 (j) A person elected to the office of delegate to a
21 convention shall not accept or receive any money or other
22 valuable consideration for his or her vote as a delegate.

23 (k) A person shall not, while the polls are open on an
24 election day, solicit votes in a polling place or within 100 feet
25 from an entrance to the building in which a polling place is
26 located.

27 (l) A person shall not keep a room or building for the

1 purpose, in whole or in part, of recording or registering bets or
2 wagers ~~—~~or of selling pools upon the result of a political
3 nomination, appointment, or election. A person shall not wager
4 property, money, or thing of value, or be the custodian of money,
5 property, or thing of value ~~—~~staked, wagered, or pledged upon
6 the result of a political nomination, appointment, or election.

7 (m) A person shall not participate in a meeting or a portion
8 of a meeting of more than 2 persons, other than the person's
9 immediate family, at which an absent voter ballot is voted.

10 (n) A person, other than an authorized election official,
11 shall not, either directly or indirectly, give, lend, or promise
12 any valuable consideration to or for a person to induce that
13 person to both distribute absent voter ballot applications to
14 voters and receive signed absent voter ballot applications from
15 voters for delivery to the appropriate clerk.

16 (O) AN INDIVIDUAL WHO RECEIVES COMPENSATION FROM A COUNTY,
17 CITY, TOWNSHIP, VILLAGE, OR SCHOOL DISTRICT FOR PERFORMING
18 ELECTION-RELATED DUTIES SHALL NOT ACCEPT, EITHER DIRECTLY OR
19 INDIRECTLY, VALUABLE CONSIDERATION FOR PERFORMING WORK TO SUPPORT
20 OR OPPOSE THE NOMINATION OR ELECTION OF A CANDIDATE OR THE
21 PASSAGE OR DEFEAT OF A BALLOT PROPOSAL.

22 (P) A PERSON SHALL NOT OFFER, EITHER DIRECTLY OR INDIRECTLY,
23 VALUABLE CONSIDERATION TO AN INDIVIDUAL FOR PERFORMING WORK TO
24 SUPPORT OR OPPOSE THE NOMINATION OR ELECTION OF A CANDIDATE OR
25 THE PASSAGE OR DEFEAT OF A BALLOT PROPOSAL IF THAT INDIVIDUAL
26 RECEIVES COMPENSATION FROM A COUNTY, CITY, TOWNSHIP, VILLAGE, OR
27 SCHOOL DISTRICT FOR PERFORMING ELECTION-RELATED DUTIES.

1 (Q) A PERSON SHALL NOT SOLICIT OR RECEIVE COMPENSATION OR
2 VALUABLE CONSIDERATION FOR ENDORSING OR OPPOSING A CANDIDATE FOR
3 A PUBLIC OFFICE, POLITICAL COMMITTEE, OR POLITICAL PARTY.

4 (2) A person who violates a provision of this act for which
5 a penalty is not otherwise specifically provided in this act ~~is~~
6 guilty of a misdemeanor.

7 (3) A person or a person's agent who knowingly makes,
8 publishes, disseminates, circulates, or places before the public,
9 or knowingly causes directly or indirectly to be made, published,
10 disseminated, circulated, or placed before the public, in this
11 state, either orally or in writing, an assertion, representation,
12 or statement of fact concerning a candidate for public office at
13 an election in this state, that is false, deceptive, scurrilous,
14 or malicious, without the true name of the author being
15 subscribed to the assertion, representation, or statement if
16 written, or announced if unwritten, is guilty of a misdemeanor.

17 (4) As used in this section, "valuable consideration"
18 includes, but is not limited to, money, property, a gift, a prize
19 or chance for a prize, a fee, a loan, an office, a position, an
20 appointment, or employment. **VALUABLE CONSIDERATION DOES NOT**
21 **INCLUDE EITHER OF THE FOLLOWING:**

22 (A) A CONTRIBUTION TO A CANDIDATE COMMITTEE OF A CANDIDATE.

23 (B) THE REIMBURSEMENT OF EXPENSES INCURRED BY A PERSON.

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

27 (A) THE TOTAL NUMBER OF INDIVIDUALS A PERSON REGISTERS TO

1 VOTE.

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

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

7 SEC. 932E. (1) A PERSON SHALL NOT INTENTIONALLY MISREPRESENT
8 BY WORD OR ACT IN A POLLING PLACE ON ELECTION DAY THAT HE OR SHE
9 IS AN ELECTION OFFICIAL IF THAT PERSON IS NOT AN ELECTION
10 OFFICIAL. THIS SUBSECTION DOES NOT APPLY TO A CHALLENGER
11 DESIGNATED UNDER SECTION 730.

12 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
13 FELONY.

14 Sec. 973. (1) Party candidates shall be nominated as
15 follows: ~~In case~~

16 (A) IF the vacancy to be filled ~~be~~ IS in a state office or
17 ~~that~~ IN THE OFFICE of United States senator, the state central
18 committee of each political party shall nominate a candidate
19 ~~therefor; in case such~~ FOR THAT OFFICE.

20 (B) IF THE vacancy ~~be~~ IS in a county office or in a district
21 office within an electoral district of 1 county, the county
22 EXECUTIVE committee of each political party shall nominate a
23 candidate ~~therefor; in case such~~ FOR THAT OFFICE.

24 (C) IF THE vacancy ~~be~~ IS in a district office within an
25 electoral district less than 1 county, the members of the county
26 EXECUTIVE committee of each political party residing in ~~such~~ THE
27 electoral district shall nominate the candidate ~~therefor; if the~~

1 ~~office to be filled be~~ **FOR THAT OFFICE.**

2 **(D) IF THE VACANCY IS IN** a district office having an
3 electoral district in more than 1 county, the members of the
4 several county **EXECUTIVE** committees of each political party
5 residing in those parts of ~~such~~**THE** counties ~~which~~**THAT** are in
6 ~~such~~**THE** district shall nominate a candidate for ~~the~~**THAT** office.
7 ~~; and if such~~

8 **(E) IF THE** vacancy ~~be~~**IS** in a ward or township office, the
9 **MEMBERS OF THE COUNTY EXECUTIVE** committee of each political party
10 ~~thereof~~**RESIDING IN THE WARD OR TOWNSHIP** shall nominate a
11 candidate for ~~such~~**THAT** office.

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

16 Enacting section 1. Section 343a of the Michigan election
17 law, 1954 PA 116, MCL 168.343a, is repealed.