

HOUSE BILL NO. 6368

September 07, 2022, Introduced by Rep. Hall and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 544c, 551, 552, and 553 (MCL 168.544c, 168.551, 168.552, and 168.553), section 544c as amended by 2018 PA 650, section 551 as amended by 2012 PA 276, and section 552 as amended by 2005 PA 71, and by adding sections 551a and 551b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 ~~A person~~**An individual** who knowingly signs more petitions for
2 the same office than there are ~~persons~~**individuals** to be elected to
3 the office, signs a petition more than once, or signs a name other
4 than ~~his or her~~**the individual's** own **name** is violating the
5 provisions of the Michigan election law.

| 6 | Printed | Street Address | | | Date of Signing | | |
|----|-----------|----------------|----------|-----|-----------------|------|--|
| 7 | Name and | or | | | | | |
| 8 | Signature | Rural Route | Zip Code | Mo. | Day | Year | |
| 9 | 1. | _____ | | | | | |
| 10 | 2. | _____ | | | | | |
| 11 | 3. | _____ | | | | | |
| 12 | 4. | _____ | | | | | |

13 numbered lines as above

14 CERTIFICATE OF CIRCULATOR

15
16 The undersigned circulator of the above petition asserts that
17 ~~he or she~~**the circulator** is 18 years of age or older and a United
18 States citizen; that each signature on the petition was signed in
19 ~~his or her~~**the circulator's** presence; that ~~he or she~~**the circulator**
20 has neither caused nor permitted ~~a person~~**an individual** to sign the
21 petition more than once and has no knowledge of ~~a person~~**an**
22 **individual** signing the petition more than once; and that, to ~~his or~~
23 ~~her~~**the circulator's** best knowledge and belief, each signature is
24 the genuine signature of the ~~person~~**individual** purporting to sign
25 the petition, the ~~person~~**individual** signing the petition was at the
26 time of signing a registered elector of the city or township listed
27 in the heading of the petition, and the elector was qualified to
28 sign the petition.

29 Circulator-Do not sign or date certificate until after

1 circulating petition.

2 _____ If the circulator is not a resident of Michigan, the
3 circulator shall make a cross or check mark on the line provided,
4 otherwise each signature on this petition sheet is invalid and the
5 signatures will not be counted by a filing official. By making a
6 cross or check mark on the line provided, the undersigned
7 circulator asserts that ~~he or she~~ **the circulator** is not a resident
8 of Michigan and agrees to accept the jurisdiction of this state for
9 the purpose of any legal proceeding or hearing that concerns a
10 petition sheet executed by the circulator and agrees that legal
11 process served on the secretary of state or a designated agent of
12 the secretary of state has the same effect as if personally served
13 on the circulator.

14 _____
15 (Printed Name and Signature of Circulator) (Date)

16 _____
17 (Complete Residence Address (Street and Number or Rural
18 Route)) Do not enter a post office box

19 _____
20 (City or Township, State, Zip Code)

21 _____
22 (County of Registration, if Registered to Vote, of a
23 Circulator who is not a Resident of Michigan)

24 Warning-A circulator knowingly making a false statement in the
25 above certificate, ~~a person~~ **an individual** not a circulator who
26 signs as a circulator, or ~~a person~~ **an individual** who signs a name
27 other than ~~his or her~~ **the circulator's** own **name** as circulator is
28 guilty of a misdemeanor.

29 (2) The petition must be in a form providing a space for the

1 circulator and each elector who signs the petition to print ~~his or~~
2 ~~her~~ **the circulator's or elector's** name. The secretary of state
3 shall prescribe the location of the space for the printed name. The
4 failure of the circulator or an elector who signs the petition to
5 print ~~his or her~~ **the circulator's or elector's** name, to print ~~his~~
6 ~~or her~~ **the circulator's or elector's** name in the location
7 prescribed by the secretary of state, or to enter a zip code or ~~his~~
8 ~~or her~~ **the** correct zip code does not affect the validity of the
9 signature of the circulator or the elector who signs the petition.
10 A printed name located in the space prescribed for printed names
11 does not constitute the signature of the circulator or elector. If
12 an elector does not include ~~his or her~~ **the elector's** signature, ~~his~~
13 ~~or her~~ **the elector's** street address or rural route, or the date of
14 signing on the petition as required under subsection (1), the
15 elector's signature is invalid and must not be counted by a filing
16 official.

17 (3) If the circulator of a petition under section 482, a
18 qualifying petition for an office named in section 590b(4), or a
19 petition to form a new political party under section 685 is not a
20 resident of this state, the circulator shall indicate where
21 provided on the certificate of circulator that ~~he or she~~ **the**
22 **circulator** agrees to accept the jurisdiction of this state for the
23 purpose of any legal proceeding or hearing initiated under section
24 476, 552, 590f(2), or 685 that concerns a petition sheet executed
25 by the circulator and agrees that legal process served on the
26 secretary of state or a designated agent of the secretary of state
27 has the same effect as if personally served on the circulator.

28 (4) If the secretary of state or a designated agent of the
29 secretary of state is served with legal process as described in

1 subsection (3), the secretary of state shall promptly notify the
2 circulator by personal service or certified mail at the
3 circulator's residential address as indicated in the certificate of
4 circulator.

5 (5) The circulator of a petition shall sign and date the
6 certificate of circulator before the petition is filed. A
7 circulator shall not obtain electors' signatures after the
8 circulator has signed and dated the certificate of circulator. A
9 filing official shall not count electors' signatures that were
10 obtained after the date the circulator signed the certificate or
11 that are contained in a petition that the circulator did not sign
12 and date.

13 (6) Except as provided in section 544d, a petition sheet must
14 not be circulated in more than 1 city or township and each signer
15 of a petition sheet must be a registered elector of the city or
16 township indicated in the heading of the petition sheet. The
17 invalidity of 1 or more signatures on a petition does not affect
18 the validity of the remainder of the signatures on the petition.

19 (7) An individual shall not sign more nominating petitions for
20 the same office than there are ~~persons~~**individuals** to be elected to
21 the office. An individual who violates this subsection is guilty of
22 a misdemeanor.

23 (8) An individual shall not do any of the following:

24 (a) Sign a petition with a name other than ~~his or her~~**the**
25 **individual's** own **name**.

26 (b) Make a false statement in a certificate on a petition.

27 (c) If not a circulator, sign a petition as a circulator.

28 (d) Sign a name as **a** circulator other than ~~his or her~~**the**
29 **circulator's** own **name**.

1 (9) Except as otherwise provided in subsection (10), an
2 individual who violates subsection (8) is guilty of a misdemeanor
3 punishable by a fine of not more than \$500.00 or imprisonment for
4 not more than 93 days, or both.

5 (10) An individual shall not sign a petition with multiple
6 names. An individual who violates this subsection is guilty of a
7 felony.

8 (11) If after a canvass and a hearing on a petition under
9 section 476 or 552 the board of state canvassers determines that an
10 individual has knowingly and intentionally failed to comply with
11 subsection (8) or (10), the board of state canvassers may impose 1
12 or more of the following sanctions:

13 (a) ~~Disqualify~~ **For a petition under section 476, disqualify an**
14 **obviously fraudulent signatures** ~~signature~~ **on a petition form on**
15 **which the violation of subsection (8) or (10) occurred, without**
16 ~~checking the signatures against local registration records.~~ **and for**
17 **a petition under section 552, disqualify an obviously fraudulent**
18 **signature on a petition form on which the violation of subsection**
19 **(8) or (10) occurred after checking the signature against the**
20 **digitized signature in the qualified voter file.**

21 (b) Disqualify from the ballot a candidate who committed,
22 aided or abetted, or knowingly allowed the violation of subsection
23 (8) or (10) on a petition to nominate that candidate.

24 (12) If an individual violates subsection (8) or (10) and the
25 affected petition sheet is filed, each of the following who knew of
26 the violation of subsection (8) or (10) before the filing of the
27 affected petition sheet and who failed to report the violation to
28 the secretary of state, the filing official, if different, the
29 attorney general, a law enforcement officer, or the county

1 prosecuting attorney is guilty of a misdemeanor ~~7~~-punishable by a
2 fine of not more than \$500.00 or imprisonment for not more than 1
3 year, or both:

4 (a) The circulator of the petition, if different than the
5 individual who violated subsection (8) or (10).

6 (b) If the petition is a nominating petition, the candidate
7 whose nomination is sought.

8 (c) If the petition is a petition for a ballot question or
9 recall, the organization or other person sponsoring the petition
10 drive.

11 (13) If after a canvass and a hearing on a petition under
12 section 476 or 552 the board of state canvassers determines that an
13 individual has violated subsection (12), the board of state
14 canvassers may impose 1 or more of the following sanctions:

15 (a) Impose on the organization or other person sponsoring the
16 petition drive an administrative fine of not more than \$5,000.00.

17 (b) Charge the organization or other person sponsoring the
18 petition drive for the costs of canvassing a petition form on which
19 a violation of subsection (8) or (10) occurred.

20 (c) Disqualify an organization or other person described in
21 subdivision (a) from collecting signatures on a petition for a
22 period of not more than 4 years.

23 (d) ~~Disqualify~~**For a petition under section 476, disqualify an**
24 **obviously fraudulent signature** on a petition form on
25 which a violation of subsection (8) or (10) occurred, ~~without~~
26 ~~checking the signatures against local registration records.~~**and for**
27 **a petition under section 552, disqualify an obviously fraudulent**
28 **signature on a petition form on which a violation of subsection (8)**
29 **or (10) occurred after checking the signature against the digitized**

1 **signature in the qualified voter file.**

2 (e) Disqualify from the ballot a candidate who committed,
3 aided or abetted, or knowingly allowed a violation of subsection
4 (8) or (10) on a petition to nominate that candidate.

5 (14) If an individual refuses to comply with a subpoena of the
6 board of state canvassers in an investigation of an alleged
7 violation of subsection (8), (10), or (12), the board may hold the
8 canvass of the petitions in abeyance until the individual complies.

9 (15) ~~A person~~ **An individual** who aids or abets another in an
10 act that is prohibited by this section is guilty of that act.

11 (16) The provisions of this section except as otherwise
12 expressly provided apply to all petitions circulated under
13 authority of the election law.

14 ~~Sec. 551. Until December 31, 2013, the secretary of state and~~
15 ~~the various county, township, and city clerks shall receive~~
16 ~~nominating petitions or filing fees filed under this act up to 4~~
17 ~~p.m., eastern standard time, of the twelfth Tuesday before the~~
18 ~~August primary. Beginning January 1, 2014, **Subject to sections 551a**~~
19 ~~**and 551b,** the secretary of state and the various county, township,~~
20 ~~and city clerks shall receive nominating petitions or filing fees~~
21 ~~filed under this act up to 4 p.m. , eastern standard time, of the~~
22 ~~fifteenth Tuesday before the August primary. The provisions of this~~
23 ~~section do not apply to a city that does not nominate its officers~~
24 ~~under the provisions of this act.~~

25 **Sec. 551a. (1) A candidate for public office who may file**
26 **nominating petitions under this act up to 4 p.m. on the fifteenth**
27 **Tuesday before the August primary may, up to 4 p.m. on the**
28 **twentieth Tuesday before the August primary, submit a portion of**
29 **those nominating petitions to the appropriate filing official for**

1 early signature review as set forth in this section.

2 (2) A candidate for public office who submits a portion of the
3 candidate's nominating petitions for early signature review under
4 subsection (1) must include an early signature review filing fee of
5 50 cents for each signature submitted for early signature review to
6 cover the cost of the early signature review by the appropriate
7 filing official.

8 (3) Upon receipt of nominating petitions for early signature
9 review as provided under subsection (1), and the appropriate early
10 signature review filing fee under subsection (2), the appropriate
11 filing official shall compare each signature on the submitted
12 nominating petitions with the digitized signature for that elector
13 contained in the qualified voter file. The appropriate filing
14 official must complete the early signature review under this
15 subsection no later than 7 business days after receiving the
16 nominating petitions for early signature review.

17 (4) Upon completing the early signature review under
18 subsection (3), the appropriate filing official must provide a
19 report to the candidate for public office concerning the
20 genuineness and validity of each nominating petition signature
21 submitted for early signature review.

22 Sec. 551b. (1) No later than 14 days after a candidate for
23 public office files official nominating petitions, the appropriate
24 filing official shall compare each signature on the official
25 nominating petitions with the digitized signature for that elector
26 contained in the qualified voter file to determine if the candidate
27 for public office filed a sufficient number of valid nominating
28 petition signatures.

29 (2) If, after the signature review required under subsection

1 (1), the appropriate filing official determines that the candidate
2 for public office filed an insufficient number of valid nominating
3 petition signatures, the appropriate filing official shall
4 immediately notify the candidate for public office of the
5 insufficiency.

6 (3) Upon notification under subsection (2) that an
7 insufficient number of valid nominating petition signatures have
8 been filed, the candidate for public office must be given an
9 opportunity to cure the insufficiency. Within 3 business days after
10 being notified of having an insufficient number of valid
11 signatures, the candidate for public office may attempt to cure the
12 insufficiency by doing either of the following:

13 (a) Circulating and filing with the appropriate filing
14 official new nominating petitions that contain additional
15 signatures.

16 (b) Fixing any deficiencies for existing nominating petition
17 signatures that were determined to be invalid.

18 (4) If a candidate for public office attempts to cure the
19 insufficiency under subsection (3), the candidate for public office
20 must include a 50 cent per signature fee for each additional
21 signature submitted under subsection (3) (a) and a 50 cent per
22 signature fee for each existing invalid nominating petition
23 signature fixed under subsection (3) (b).

24 (5) Upon receipt of new nominating petitions under subsection
25 (3) (a) or fixes to existing nominating petition signatures under
26 subsection (3) (b), the appropriate filing official shall, within 7
27 days, compare each additional signature on the new nominating
28 petitions with the digitized signature for that elector contained
29 in the qualified voter file, and review each fix made to existing

1 **invalid nominating petition signatures.**

2 **(6) Upon completing the review under subsection (5), the**
3 **appropriate filing official shall make a final determination as to**
4 **whether the candidate filed a sufficient number of valid nominating**
5 **petition signatures.**

6 Sec. 552. (1) The county or city clerk, after the last day
7 specified in this act for receiving and filing nominating
8 petitions, shall immediately certify to the proper board or boards
9 of election commissioners in the city, county, district, or state
10 the name and post office address of each party candidate whose
11 petitions meet the requirements of this act, together with the name
12 of the political party and the office for which ~~he or she~~ **the**
13 **individual** is a candidate.

14 (2) If the county clerk receives a sworn complaint, in
15 writing, questioning the registration or genuineness of the
16 signature of the circulator or of ~~a person~~ **an individual** signing a
17 petition filed with the county clerk for an office, the county
18 clerk shall commence an investigation. The county clerk shall cause
19 the petition that ~~he or she~~ **the county clerk** considers necessary to
20 be forwarded to the proper city clerk or township clerk to compare
21 the signatures appearing on the petition with the signatures
22 appearing on the registration record as required by subsection
23 (13). The county clerk may conduct the signature comparisons as
24 required by subsection (13) using the digitized signatures in the
25 qualified voter file, in lieu of requesting the local clerk to
26 conduct the signature comparison. If the request has been made by
27 the county clerk, the city clerk or township clerk shall complete
28 the investigation and report ~~his or her~~ **the clerk's** findings to the
29 county clerk within 7 days after the request. The investigation

1 ~~shall~~**must** include the validity of the signatures and the
2 genuineness of a petition as is specified in the sworn complaint
3 and may include any other doubtful signatures or petitions filed on
4 behalf of the candidate against whose petitions the sworn complaint
5 is directed, as the county clerk considers necessary. The county
6 clerk is not required to act on a complaint respecting the validity
7 and genuineness of signatures on a petition unless the complaint
8 sets forth the specific signatures claimed to be invalid and the
9 specific petition for which the complaint questions the validity
10 and genuineness of the signature or registration of the circulator,
11 and unless the complaint is received by the county clerk within 7
12 days after the deadline for the filing of the nominating petitions.

13 (3) In addition to the duty specified in subsection (2) for
14 the examination of petitions, the county clerk, on ~~his or her~~**the**
15 **county clerk's** own initiative, on receipt of the nominating
16 petitions, may examine the petitions, and if after examination the
17 county clerk is in doubt as to the validity of the registration or
18 genuineness of the signature of the circulator or ~~persons~~
19 **individuals** signing or purported to have signed the petitions, the
20 county clerk shall commence an investigation. Subject to subsection
21 (13), the county clerk shall cause the petitions in question to be
22 forwarded to the proper city clerk or township clerk to compare the
23 signatures appearing on the petitions with the signatures appearing
24 on the registration records. The county clerk may conduct the
25 signature comparisons as required by subsection (13) using the
26 digitized signatures in the qualified voter file, in lieu of
27 requesting the local clerk to conduct the signature comparison.

28 (4) The clerk of a political subdivision shall cooperate fully
29 with the county clerk in a request made to the clerk by the county

1 clerk in determining the validity of doubtful signatures by
2 checking the signatures against registration records in an
3 expeditious and proper manner.

4 (5) At least 2 business days before the county clerk makes a
5 final determination on challenges to and sufficiency of a petition,
6 the county clerk shall make public its staff report concerning
7 disposition of challenges filed against the petition. Beginning
8 with the receipt of any document from local election officials
9 under subsection (2) or (3), the county clerk shall make that
10 document available to petitioners and challengers on a daily basis.

11 (6) Upon the completion of the investigation or examination,
12 the county clerk shall immediately make an official declaration of
13 the sufficiency or insufficiency of nominating petitions for which
14 a sworn complaint has been received or of the sufficiency or
15 insufficiency of nominating petitions that the county clerk has
16 examined or investigated on ~~his or her~~ **the county clerk's** own
17 initiative. ~~A person~~ **An individual** feeling aggrieved by a
18 determination made by the county clerk may have the determination
19 reviewed by the secretary of state by filing a written request with
20 the secretary of state within 3 days after the official declaration
21 of the county clerk, unless the third day falls on a Saturday,
22 Sunday, or legal holiday, in which case the request may be filed
23 not later than 4 p.m. on the next day that is not a Saturday,
24 Sunday, or legal holiday. Alternatively, the aggrieved ~~person~~
25 **individual** may have the determination of the county clerk reviewed
26 by filing a mandamus, certiorari, or other appropriate remedy in
27 the circuit court. ~~A person~~ **An individual** who filed a nominating
28 petition and feels aggrieved by the determination of the secretary
29 of state may then have that determination reviewed by mandamus,

1 certiorari, or other appropriate remedy in the circuit court.

2 (7) A city clerk with whom nominating petitions are filed may
3 examine the petitions and investigate the validity and genuineness
4 of signatures appearing on the petitions. Subject to subsection
5 (13), the city clerk may check the signatures against registration
6 records. The city clerk shall make a determination as to the
7 sufficiency or insufficiency of the petitions upon the completion
8 of the examination or investigation, and shall make an official
9 declaration of the findings. ~~A person~~ **An individual** feeling
10 aggrieved by the determination has the same rights of review as in
11 case of a determination by the county clerk.

12 (8) Upon the filing of nominating petitions with the secretary
13 of state, the secretary of state shall notify the board of state
14 canvassers within 5 days after the last day for filing the
15 petitions. The notification ~~shall~~ **must** be by first-class mail. Upon
16 the receipt of the nominating petitions, the board of state
17 canvassers shall canvass the petitions to ascertain if the
18 petitions have been signed by the requisite number of qualified and
19 registered electors. Subject to subsection (13), for the purpose of
20 determining the validity of the signatures, the board of state
21 canvassers may cause a doubtful signature to be checked against the
22 qualified voter file or the registration records by the clerk of a
23 political subdivision in which the petitions were circulated. If
24 the board of state canvassers receives a sworn complaint, in
25 writing, questioning the registration of or the genuineness of the
26 signature of the circulator or of ~~a person~~ **an individual** signing a
27 nominating petition filed with the secretary of state, the board of
28 state canvassers shall commence an investigation. Subject to
29 subsection (13), the board of state canvassers shall verify the

1 registration or the genuineness of a signature as required by
2 subsection (13). If the board is unable to verify the genuineness
3 of a signature on a petition, the board shall cause the petition to
4 be forwarded to the proper city clerk or township clerk to compare
5 the signatures on the petition with the signatures on the
6 registration record, or in some other manner determine whether the
7 signatures on the petition are valid and genuine. The board of
8 state canvassers is not required to act on a complaint respecting
9 the validity and genuineness of signatures on a petition unless the
10 complaint sets forth the specific signatures claimed to be invalid
11 and the specific petition for which the complaint questions the
12 validity and genuineness of the signature or the registration of
13 the circulator, and unless the complaint is received by the board
14 of state canvassers within 7 days after the deadline for filing the
15 nominating petitions. After receiving a request from the board of
16 state canvassers under this subsection, the clerk of a political
17 subdivision shall cooperate fully in determining the validity of
18 doubtful signatures by rechecking the signatures against
19 registration records in an expeditious and proper manner. The board
20 of state canvassers may extend the 7-day challenge period if it
21 finds that the challenger did not receive a copy of each petition
22 sheet that the challenger requested from the secretary of state.
23 The extension of the challenge deadline under this subsection does
24 not extend another deadline under this section.

25 (9) The board of state canvassers may hold a hearing upon a
26 complaint filed or for a purpose considered necessary by the board
27 of state canvassers to conduct an investigation of the petitions.
28 In conducting a hearing, the board of state canvassers may issue
29 subpoenas and administer oaths. The board of state canvassers may

1 also adjourn periodically awaiting receipt of returns from
2 investigations that are being made or for other necessary purposes,
3 but shall complete the canvass not less than 9 weeks before the
4 primary election at which candidates are to be nominated. Before
5 making a final determination, the board of state canvassers may
6 consider any deficiency found on the face of the petition that does
7 not require verification against data maintained in the qualified
8 voter file or in the voter registration files maintained by a city
9 or township clerk.

10 (10) At least 2 business days before the board of state
11 canvassers meets to make a final determination on challenges to and
12 sufficiency of a petition, the board shall make public its staff
13 report concerning disposition of challenges filed against the
14 petition. Beginning with the receipt of any document from local
15 election officials under subsection (8), the board of state
16 canvassers shall make that document available to candidates and
17 challengers on a daily basis.

18 (11) An official declaration of the sufficiency or
19 insufficiency of a nominating petition ~~shall~~**must** be made by the
20 board of state canvassers not less than 60 days before the primary
21 election at which candidates are to be nominated. At the time of
22 filing a nominating petition with the secretary of state, the
23 ~~person~~**individual** filing the petition may request a notice of the
24 approval or rejection of the petition. If a request is made at the
25 time of filing the petition, the secretary of state, immediately
26 upon the determination of approval or rejection, shall transmit by
27 registered mail to the ~~person~~**individual** making the request an
28 official notice of the sufficiency or insufficiency of the
29 petitions.

1 (12) ~~A person~~ **An individual** who filed a nominating petition
2 with the secretary of state and who feels aggrieved by a
3 determination made by the board of state canvassers may have the
4 determination reviewed by mandamus, certiorari, or other
5 appropriate process in the supreme court.

6 (13) The qualified voter file ~~may~~ **must** be used to determine
7 the validity of petition signatures by verifying the registration
8 of signers. If the qualified voter file indicates that, on the date
9 the elector signed the petition, the elector was not registered to
10 vote, there is a rebuttable presumption that the signature is
11 invalid. If the qualified voter file indicates that, on the date
12 the elector signed the petition, the elector was not registered to
13 vote in the city or township designated on the petition, there is a
14 rebuttable presumption that the signature is invalid. The qualified
15 voter file ~~shall~~ **must** be used to determine the genuineness of a
16 signature on a petition. Signature comparisons ~~shall~~ **must** be made
17 with the digitized signatures in the qualified voter file. The
18 county clerk or the board of state canvassers shall conduct the
19 signature comparison using digitized signatures contained in the
20 qualified voter file for their respective investigations. If the
21 qualified voter file does not contain a digitized signature of an
22 elector, the city or the township clerk shall compare the petition
23 signature to the signature contained on the master card.

24 (14) Not less than 60 days before the primary election at
25 which candidates are to be nominated, the secretary of state shall
26 certify to the proper boards of election commissioners in the
27 various counties in the state, the name and post office address of
28 each partisan or nonpartisan candidate whose petitions have been
29 filed with the secretary of state and meet the requirements of this

1 act, together with the name of the political party, if any, and the
2 office for which ~~he or she~~ **the individual** is a candidate.

3 Sec. 553. ~~In case~~ **Subject to section 551b, if** it is determined
4 that the nominating petitions of any candidate do not comply with
5 the requirements of this act, or if for any other cause ~~such a~~
6 candidate is not entitled to have ~~his~~ **the candidate's** name printed
7 ~~upon~~ **on** the official primary ballots, it ~~shall be~~ **is** the duty of
8 the secretary of state or county or city clerk to immediately
9 notify ~~such the~~ candidate of ~~such that~~ fact, together with a
10 statement of the reasons why ~~his~~ **the candidate's** name was not
11 certified to the respective boards of election commissioners.