

SUBSTITUTE FOR
HOUSE BILL NO. 5571

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 32, 482, 482a, 482e, 483a, 488, and 544c (MCL 168.32, 168.482, 168.482a, 168.482e, 168.483a, 168.488, and 168.544c), section 32 as amended by 2014 PA 79, section 482 as amended and section 482a as added by 2018 PA 608, section 482e as added and section 544c as amended by 2018 PA 650, section 483a as added by 2012 PA 276, and section 488 as added by 1998 PA 142, and by adding sections 474 and 481a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 32. (1) In the office of the secretary of state, the

1 bureau of elections created by former 1951 PA 65 continues under
2 the supervision of a director of elections, to be appointed by the
3 secretary of state under civil service regulations. The director of
4 elections ~~shall be~~ **is** vested with the powers and shall perform the
5 duties of the secretary of state under ~~his or her~~ **the secretary of**
6 **state's** supervision, with respect to the supervision and
7 administration of the election laws. The director of elections
8 ~~shall be~~ **is** a nonmember secretary of the ~~state~~ board of **state**
9 canvassers.

10 (2) The director of elections, with the approval of the ~~state~~
11 board of **state** canvassers, shall prepare a statement for
12 designation on the ballot in not more than 100 words, exclusive of
13 caption **and numerals**, of the purpose of any proposed amendment or
14 question to be submitted to the electors as required under section
15 9 of article II, section 34 of article IV if the legislature does
16 not provide for the content of the question to be submitted to the
17 electors, or section 1 or 2 of article XII of the state
18 constitution of 1963. The statement ~~shall~~ **must** consist of a true
19 and impartial statement of the purpose of the amendment or question
20 in such language as shall create no prejudice for or against the
21 proposed amendment or question. The powers and duties of the ~~state~~
22 board of **state** canvassers and the secretary of state with respect
23 to the preparation of the statement are transferred to the director
24 of elections. The secretary of state shall certify the statement of
25 the purpose of any proposed amendment or question to be submitted
26 to the electors not later than 60 days before the date of the
27 election.

28 **Sec. 474. (1) A petition proposing a constitutional amendment,**
29 **an initiated law, or a referendum must include a summary of the**

1 purpose of the proposed constitutional amendment, initiated law, or
2 referendum that complies with the requirements in subsection (2).

3 (2) The summary of the purpose of a proposed constitutional
4 amendment, initiated law, or referendum must meet all of the
5 following requirements:

6 (a) Be limited to not more than 100 words, exclusive of
7 numerals, and must consist of a true and impartial statement of the
8 purpose of the proposed constitutional amendment, initiated law, or
9 referendum in language that creates no prejudice for or against the
10 proposed constitutional amendment, initiated law, or referendum.

11 (b) Be worded so as to apprise the petition signers of the
12 subject matter of the proposed constitutional amendment, initiated
13 law, or referendum, but does not need to be legally precise.

14 (c) Be clearly written using words that have a common everyday
15 meaning to the general public.

16 (3) An individual who circulates a petition for a proposed
17 constitutional amendment, initiated law, or referendum may, before
18 circulating any petition, submit the petition form and the summary
19 of the purpose to the board of state canvassers for approval as to
20 the contents of the summary and to the form of the petition. The
21 director of elections shall review the submission and prepare a
22 proposed summary of the purpose of the proposed constitutional
23 amendment, initiated law, or referendum for approval by the board
24 of state canvassers.

25 (4) The board of state canvassers must issue a determination
26 approving or rejecting the petition form and the content of the
27 proposed summary of the purpose prepared under subsection (1) not
28 more than 30 days after the final submission from the petitioner.

29 (5) The board of state canvassers shall not consider a

1 challenge to the sufficiency of a submitted petition on the basis
2 of the summary of the purpose or the petition form if the summary
3 of the purpose and the petition form used were approved as provided
4 under this section before the petition is circulated.

5 Sec. 481a. For purposes of this section, all of the following
6 apply to a petition proposing a constitutional amendment:

7 (a) An existing provision of the constitution would be altered
8 by a proposed constitutional amendment only if the proposed
9 constitutional amendment would add to, delete from, or change the
10 actual text of the existing wording of that provision.

11 (b) An existing provision of the constitution would be
12 abrogated by a proposed constitutional amendment only if the
13 existing provision would be rendered wholly inoperative by the
14 proposed constitutional amendment. An existing provision is
15 rendered wholly inoperative if the proposed constitutional
16 amendment would make the existing provision a nullity or if it
17 would be impossible for the proposed constitutional amendment to be
18 harmonized with the existing provision when the 2 provisions are
19 considered together. An existing provision would not be rendered
20 wholly inoperative if the existing provision is not incompatible
21 with and can be reasonably construed in a manner consistent with
22 the proposed constitutional amendment.

23 (c) An existing provision of the constitution would not be
24 altered or abrogated by a proposed constitutional amendment if
25 either of the following applies:

26 (i) The proposed constitutional amendment would affect or might
27 affect the existing provision and both the proposed constitutional
28 amendment and the existing provision can be harmoniously construed.

29 (ii) The proposed constitutional amendment would affect or

1 might affect the existing provision in a manner that requires both
2 the proposed constitutional amendment and the existing provision to
3 be interpreted together.

4 (d) The text of a proposed constitutional amendment, not the
5 characterization or interpretation of the meaning or purpose of the
6 proposed constitutional amendment, controls in determining whether
7 an existing provision of the constitution would be altered or
8 abrogated.

9 Sec. 482. (1) Each petition under this section must be ~~8-1/2~~
10 ~~inches by 14 inches in size.~~ **in substantially the form, and include**
11 **all of the elements, as provided in this section. The secretary of**
12 **state shall create a petition form, with the approval of the board**
13 **of state canvassers, to be used by petitioners under this section.**
14 **The bureau of elections shall issue and make publicly available a**
15 **digitally editable model of the petition form approved under this**
16 **subsection.**

17 (2) Unless otherwise provided in this section, the text on a
18 petition form under this section must be printed in at least 8-
19 point type. The sponsor of a petition under this section may
20 include on the petition form union symbols, bar codes, QR codes,
21 websites, or any other similar information in the area on the
22 petition form that is designated solely for the sponsor.

23 (3) ~~(2)~~ If the measure to be submitted proposes a
24 constitutional amendment, ~~initiation of legislation, an initiated~~
25 ~~law, or a referendum, of legislation,~~ the heading of each part of
26 the petition must be prepared in **substantially** the following form
27 and **be** printed in capital letters ~~in 14-point boldfaced type:~~ **at the**
28 **top of the petition:**

29 INITIATIVE PETITION

~~AMENDMENT~~ PETITION TO AMEND THE STATE CONSTITUTION

OR

~~INITIATION OF LEGISLATION~~ PETITION TO INITIATE A LAW (INITIATIVE)

OR

~~REFERENDUM OF LEGISLATION~~ PETITION TO APPROVE OR REJECT A LAW

(REFERENDUM)

~~PROPOSED BY INITIATIVE PETITION~~

(4) ~~(3)~~ A summary in not more than 100 words of the purpose of the proposed amendment or question proposed constitutional amendment, initiated law, or referendum that complies with the requirements of section 474 must follow and be printed in at least 12-point type.

(5) If the petition is for a proposed constitutional amendment, all of the following must be printed below the summary of the purpose provided under subsection (4):

(a) An indication of the sections of the state constitution that would be amended, repealed, or added by the proposed constitutional amendment.

(b) If the petition sponsor maintains an internet website, an address for the internet website that includes the summary of the purpose, the full text of the proposed constitutional amendment, and the full text of any existing provision of the state constitution that would be altered or abrogated by the proposed constitutional amendment.

(c) The following statement:

"See reverse side of this petition for the full text of the proposed constitutional amendment and any existing provisions of the state constitution that would be altered or abrogated by the proposed constitutional amendment."

1 (6) If the petition is for a proposed initiated law, all of
2 the following must be printed below the summary of the purpose
3 provided under subsection (4):

4 (a) The full legal name included in the proposed initiated
5 law.

6 (b) The full legal name enacted by the legislature, if any,
7 for an existing law that would be amended or repealed by the
8 proposed initiated law.

9 (c) If applicable, the public act number and year of the
10 existing law that would be amended or repealed by the proposed
11 initiated law.

12 (d) If applicable, the range of sections in the compiled laws
13 of the law that would be amended or repealed in the proposed
14 initiated law.

15 (e) An address for an internet website that includes the
16 summary of the purpose and the full text of the legislation
17 proposed by the initiated law.

18 (7) If the petition is for a proposed referendum, both of the
19 following must be printed below the summary of the purpose provided
20 under subsection (4):

21 (a) The public act number and year of the public act subject
22 to the proposed referendum.

23 (b) An address for an internet website that includes the
24 summary of the purpose and the full text of the law subject to the
25 referendum.

26 (8) The full text of the ~~amendment so proposed~~ **constitutional**
27 **amendment, initiated law, or referendum** must ~~follow the summary and~~
28 ~~be printed in 8-point type.~~ **on the reverse side of the petition**
29 **form. If the full text of the proposed constitutional amendment,**

1 initiated law, or referendum is too lengthy to be printed on the
2 reverse side of the petition form, the text must be continued on a
3 fold-over extension of the same petition form. If ~~the proposal a~~
4 **proposed constitutional amendment** would alter or abrogate an
5 existing provision of the constitution, the petition must so state
6 and the provisions to be altered or abrogated **if the constitutional**
7 **amendment is adopted** must **also** be ~~inserted,~~ **printed**, preceded by
8 the words:

9 "Provisions of existing constitution altered or abrogated by
10 the ~~proposal~~ **constitutional amendment** if adopted."

11 (9) ~~(4)~~ The following statement must appear beneath the
12 petition heading:

13 ~~"We, the undersigned qualified and"~~ **As** registered electors ~~r~~
14 **and** residents in the _____ congressional
15 district ~~in of~~ the state of Michigan, ~~respectively we~~ petition for
16 ~~(amendment to constitution) (initiation of legislation) (referendum~~
17 ~~of legislation) (other appropriate description).~~ **(to amend the state**
18 **constitution) (to initiate a law) (for a referendum on a law)."**

19 (10) ~~(5)~~ The following warning must be printed in **at least** 12-
20 point type: ~~immediately above the place for signatures, on each~~
21 ~~part of the petition:~~

22 WARNING

23 ~~A person who~~ **An individual** knowingly ~~signs~~ **signing** this
24 petition more than once, ~~signs a~~ **signing the** name ~~other than his or~~
25 ~~her own,~~ **signs of another individual, signing** when not a ~~qualified~~
26 ~~and registered elector,~~ **to vote in this state**, or sets opposite his
27 ~~or her signature on a petition,~~ **a writing a** date other than the
28 ~~actual date the signature was affixed,~~ **individual signed the**
29 **petition**, is violating the ~~provisions of the~~ Michigan election law.

1 ~~(6) Subject to subsections (7) and (8), the remainder of the~~
2 ~~petition form must be as provided following the warning to electors~~
3 ~~signing the petition in section 544c(1). In addition, the petition~~
4 ~~must comply with the requirements of section 544c(2).~~

5 (11) A table for signatures of those signing a petition must
6 be printed on the petition form that includes a space for the
7 signatures, the printed names of the individuals, the street
8 address or rural route of the individuals, the city or township of
9 the individuals, the zip code of the individuals, the county in
10 which the individuals reside, and the date of the signatures. A
11 missing element of the address of a petition signer, including, but
12 not limited to, an incomplete jurisdictional abbreviation, a
13 missing or incomplete zip code, directional information, an
14 apartment number, or a street suffix or abbreviation, is not
15 sufficient cause to invalidate a signature as long as the
16 information provided is sufficient to match the petition signer
17 with an elector in the qualified voter file.

18 (12) The following statement must appear on the petition form:

19 "PETITION CIRCULATOR CERTIFICATION

20 As the petition circulator of this petition, I certify that
21 when I circulated this petition I was 18 years of age or older and
22 a United States citizen; that each signature of the petition was
23 signed in my presence; that I have no knowledge of an individual
24 signing this petition more than once; and that to my knowledge and
25 belief, each signature on the petition is the genuine signature of
26 the individual signing the petition.

27 I acknowledge that knowingly making a false statement in this
28 certification is a misdemeanor.

29 ___ If the circulator is not a resident of this state, the

1 circulator must make a cross or check mark on the line provided.
2 The circulator agrees to accept the jurisdiction of this state in
3 any proceeding regarding this petition, and that process served on
4 the secretary of state or an agent of the secretary of state has
5 the same effect as if personally served on the circulator."

6 (13) Adjacent to the petition circulator certification
7 required under subsection (12), the following must appear on the
8 petition form:

9 " _____
10 (Printed Name and Signature of Petition Circulator) (Date)

11
12 _____
13 (Complete Residence Address of Petition Circulator)
14 (Do not enter post office box)

15
16 _____
17 (City or Township, State, and Zip Code of Petition
18 Circulator)".

19 (14) The petition form must include any identification
20 statement required under section 47 of the Michigan campaign
21 finance act, 1976 PA 388, MCL 169.247, and any administrative rules
22 promulgated under the Michigan campaign finance act, 1976 PA 388,
23 MCL 169.201 to 169.282.

24 (15) ~~(7)~~ Each petition **form** under this section must provide ~~at~~
25 ~~the top of the page~~ check boxes and statements ~~printed in 12-point~~
26 ~~type~~ to clearly indicate whether the circulator of the petition is
27 a paid ~~signature gatherer~~ **petition circulator** or a volunteer
28 ~~signature gatherer~~ **petition circulator**. As used in this subsection,
29 "paid **petition circulator**" means an individual who is compensated,

1 **directly or indirectly, through payments of money or other valuable**
 2 **consideration to obtain signatures on a petition as described in**
 3 **section 471.**

4 ~~(8) Each petition under this section must clearly indicate~~
 5 ~~below the statement required under subsection (7) and be printed in~~
 6 ~~12-point type that if the petition circulator does not comply with~~
 7 ~~all of the requirements of this act for petition circulators, any~~
 8 ~~signature obtained by that petition circulator on that petition is~~
 9 ~~invalid and will not be counted.~~

10 Sec. 482a. ~~(1) If an individual who circulates a petition~~
 11 ~~under section 482 is a paid signature gatherer, then that~~
 12 ~~individual must, before circulating any petition, file a signed~~
 13 ~~affidavit with the secretary of state that indicates he or she is a~~
 14 ~~paid signature gatherer.~~

15 ~~(2) Any signature obtained on a petition under section 482 by~~
 16 ~~an individual who has not filed the required affidavit under~~
 17 ~~subsection (1) is invalid and must not be counted.~~

18 ~~(1) (3) If the circulator of a petition under section 482~~
 19 ~~provides or uses a false address, **omits the circulator's name,**~~
 20 ~~**address, signature, or date signed,** or provides any fraudulent~~
 21 ~~**false** information on the ~~certificate of circulator, petition~~~~
 22 ~~**circulator certification,** any signature obtained by that circulator~~
 23 ~~on that petition **sheet** is invalid and must not be counted.~~

24 ~~(2) (4) If a petition under section 482 is circulated and the~~
 25 ~~petition does not **substantially** meet all of the requirements under~~
 26 ~~section 482, any signature obtained on that petition is invalid and~~
 27 ~~must not be counted.~~

28 ~~(3) (5) Any signature obtained on a petition under section 482~~
 29 ~~that was not signed in the circulator's presence is invalid and~~

1 must not be counted.

2 (4) Any signature obtained on a petition sheet under section
3 482 that is filed without the circulator's name, signature, street
4 address or rural address, and date on the petition circulator
5 certification is invalid and must not be counted. A missing element
6 of the address of a circulator, including, but not limited to, an
7 incomplete jurisdictional abbreviation, a missing or incomplete zip
8 code, directional information, an apartment number, or a street
9 suffix or abbreviation, is not sufficient cause to invalidate a
10 signature as long as the information provided is sufficient to
11 locate the circulator, if necessary.

12 (5) The invalidity of 1 or more signatures on a petition sheet
13 proposing a constitutional amendment, initiated law, or referendum
14 does not affect the validity of the remainder of the signatures on
15 the petition sheet.

16 (6) If the circulator of a petition proposing a constitutional
17 amendment, initiated law, or referendum is not a resident of this
18 state, the circulator must indicate where provided on the petition
19 circulator certification that the circulator agrees to accept the
20 jurisdiction of this state for the purpose of any legal proceeding
21 or hearing initiated under section 476 that concerns a petition
22 sheet executed by the circulator and agrees that legal process
23 served on the secretary of state or a designated agent of the
24 secretary of state has the same effect as if personally served on
25 the circulator. If the secretary of state or a designated agent of
26 the secretary of state is served with legal process as described in
27 this subsection, the secretary of state shall promptly notify the
28 circulator by personal service or certified mail at the
29 circulator's residence address as indicated in the petition

1 circulator certification.

2 (7) The board of state canvassers may use a statistical random
3 sampling methodology, as approved by the board of state canvassers,
4 to determine whether a petition under section 482 complies with the
5 requirements of this section.

6 Sec. 482e. (1) An individual shall not do any of the following
7 regarding a petition **proposing a constitutional amendment, an**
8 **initiated law, or a referendum** under section 482:

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

11 (b) Make a false statement in a ~~certificate~~ **certification** on a
12 petition.

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

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

16 (2) ~~Except as otherwise provided in subsection (3), an~~ **An**
17 individual who violates subsection (1) **(b) or (c)** is guilty of a
18 misdemeanor punishable by a fine of not more than \$500.00 or
19 imprisonment for not more than 93 days, or both.

20 (3) An individual ~~shall not sign a petition under section 482~~
21 ~~with multiple names. An individual who violates this subsection~~
22 **(1) (a) or (d)** is guilty of a felony.

23 (4) If an individual signs a petition in violation of this
24 section, any signature by that individual on the petition is
25 invalid and must not be counted.

26 (5) **If an individual signs a petition more than once, only 1**
27 **signature may be counted.**

28 Sec. 483a. (1) The petition sponsor of a petition proposing ~~an~~
29 **a constitutional** amendment ~~to the constitution or to initiate~~

1 ~~legislation~~ **a law** shall file the petition or an amended petition
2 with the secretary of state.

3 ~~(2) The petition sponsor of a petition proposing an amendment~~
4 ~~to the constitution or to initiate legislation shall not circulate~~
5 ~~a petition or an amended petition for signatures until the petition~~
6 ~~or amended petition is filed with the secretary of state as~~
7 ~~required in subsection (1).~~

8 **(2)** ~~(3)~~ The secretary of state shall make the most recent
9 submission of the petition language filed under subsection (1)
10 available to the public on an internet website maintained by the
11 department of state.

12 ~~(4) This section takes effect January 1, 2013.~~

13 Sec. 488. (1) Section 544c applies to a nominating petition
14 for an office in a political subdivision under a statute that
15 refers to this section, and to the circulation and signing of the
16 petition.

17 ~~(2) Section 482(1), (4), (5), and (6)~~ **The provisions of**
18 **section 482 not inconsistent with a county or city charter** apply to
19 a petition to place a question on the ballot before the electorate
20 of a political subdivision under a statute that refers to this
21 section, and to the circulation and signing of the petition.

22 ~~(3) A person~~ **An individual** who violates a provision of this
23 act applicable to a petition ~~pursuant to~~ **under** subsection (1) or
24 (2) is subject to the penalties prescribed for that violation in
25 this act.

26 Sec. 544c. (1) A nominating petition must be 8-1/2 inches by
27 14 inches in size. On a nominating petition, the words "nominating
28 petition" must be printed in 24-point boldface type. "We, the
29 undersigned," et cetera must be printed in 8-point type. "Warning"

1 and language in the warning must be printed in 12-point boldface
2 type. The balance of the petition must be printed in 8-point type.
3 The name, address, and party affiliation of the candidate and the
4 office for which petitions are signed must be printed in type not
5 larger than 24-point. The petition must be in **substantially** the
6 following form:

7 NOMINATING PETITION

8 (PARTISAN)

9 We, the undersigned, registered and qualified voters
10 of the city or township of ~~, in the county~~
11 (strike 1)
12 of and state of Michigan, nominate,
13 ,
14 (Name of Candidate)
15 ,
16 (Street Address or Rural Route) (City or Township)
17 as a candidate of the party for the office of
18 ,
19 ,
20 (District, if any)
21 to be voted for at the primary election to be held on the
22 day of , 20

23 WARNING

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

1	Street Residence					
2	Printed Address					
3	Name and	or			Date of Signing	
4	Signature	Rural Route	Zip Code	Mo.	Day	Year
5	1. _____					
6	2. _____					
7	3. _____					
8	4. _____					

9 numbered lines as above

10 CERTIFICATE OF CIRCULATOR

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

24 Circulator—Do not sign or date certificate until after
25 circulating petition.

26 _____ If the circulator is not a resident of Michigan, the
27 circulator ~~shall~~ **must** make a cross or check mark on the line
28 provided, otherwise each signature on this petition sheet is
29 invalid and the signatures will not be counted by a filing

1 official. By making a cross or check mark on the line provided, the
2 undersigned circulator asserts that ~~he or she~~ **the circulator** is not
3 a resident of Michigan and agrees to accept the jurisdiction of
4 this state for the purpose of any legal proceeding or hearing that
5 concerns a petition sheet executed by the circulator and agrees
6 that legal process served on the secretary of state or a designated
7 agent of the secretary of state has the same effect as if
8 personally served on the circulator.

9 _____
10 (Printed Name and Signature of Circulator) (Date)

11 _____
12 (Complete Residence Address (Street and Number or Rural
13 Route)) Do not enter a post office box

14 _____
15 (City or Township, State, Zip Code)

16 _____
17 (County of Registration, if Registered to Vote, of a
18 Circulator who is not a Resident of Michigan)

19 Warning-A circulator knowingly making a false statement in the
20 above certificate, ~~a person~~ **an individual** not a circulator who
21 signs as a circulator, or ~~a person~~ **an individual** who signs a name
22 other than ~~his or her~~ **the individual's** own as circulator is guilty
23 of a misdemeanor.

24 (2) The petition must be in a form providing a space for the
25 circulator and each elector who signs the petition to print ~~his or~~
26 ~~her~~ **the circulator's or elector's** name. The secretary of state
27 ~~shall~~ **must** prescribe the location of the space for the printed
28 name. The failure of the circulator or an elector who signs the
29 petition to print ~~his or her~~ **the circulator's or elector's** name, to

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

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

23 (4) If the secretary of state or a designated agent of the
 24 secretary of state is served with legal process as described in
 25 subsection (3), the secretary of state shall promptly notify the
 26 circulator by personal service or certified mail at the
 27 circulator's ~~residential~~ **residence** address as indicated in the
 28 certificate of circulator.

29 (5) The circulator of a petition shall sign and date the

1 certificate of circulator before the petition is filed. A
 2 circulator shall not obtain electors' signatures after the
 3 circulator has signed and dated the certificate of circulator. A
 4 filing official shall not count electors' signatures that were
 5 obtained after the date the circulator signed the certificate or
 6 that are contained in a petition that the circulator did not sign
 7 and date.

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

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

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

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

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

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

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

25 (9) ~~Except as otherwise provided in subsection (10), an~~**An**
 26 individual who violates subsection ~~(8)~~**(8) (b) or (c)** is guilty of a
 27 misdemeanor punishable by a fine of not more than \$500.00 or
 28 imprisonment for not more than 93 days, or both.

29 (10) An individual ~~shall not sign a petition with multiple~~

1 ~~names. An individual~~ who violates ~~this~~ subsection **(8) (a) or (d)** is
 2 guilty of a felony.

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

8 (a) Disqualify obviously fraudulent signatures on a petition
 9 form on which the violation of subsection (8) or (10) occurred,
 10 without checking the signatures against local registration records
 11 **or the qualified voter file.**

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

15 (12) If an individual violates subsection (8) or (10) and the
 16 affected petition sheet is filed, each of the following who knew of
 17 the violation of subsection (8) or (10) before the filing of the
 18 affected petition sheet and who failed to report the violation to
 19 the secretary of state, the filing official, if different, the
 20 attorney general, a law enforcement officer, or the county
 21 prosecuting attorney is guilty of a misdemeanor ~~—~~ punishable by a
 22 fine of not more than \$500.00 or imprisonment for not more than 1
 23 year, or both:

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

26 (b) If the petition is a nominating petition, the candidate
 27 whose nomination is sought.

28 (c) If the petition is a petition for a ballot question or
 29 recall, the organization or other person sponsoring the petition

1 drive.

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

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

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

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

14 (d) Disqualify obviously fraudulent signatures on a petition
15 form on which a violation of subsection (8) or (10) occurred
16 without checking the signatures against local registration records
17 **or the qualified voter file.**

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

21 (14) If an individual refuses to comply with a subpoena of the
22 board of state canvassers in an investigation of an alleged
23 violation of subsection (8), (10), or (12), the board may hold the
24 canvass of the petitions in abeyance until the individual complies
25 **or may disqualify the candidate from the ballot if the individual**
26 **does not comply by the deadline to complete the canvass.**

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

29 (16) The provisions of this section except as otherwise

1 expressly provided apply to all petitions circulated under
2 authority of the election law.

3 Enacting section 1. Sections 482b, 482c, and 482d of the
4 Michigan election law, 1954 PA 116, MCL 168.482b, 168.482c, and
5 168.482d, are repealed.

6 Enacting section 2. This amendatory act does not take effect
7 unless all of the following bills of the 102nd Legislature are
8 enacted into law:

9 (a) House Bill No. 5572.

10 (b) House Bill No. 5573.

11 (c) House Bill No. 5575.

12 (d) House Bill No. 5576.