

## MICHIGAN ELECTION LAW (EXCERPT)

### Act 116 of 1954

#### CHAPTER V

#### GOVERNOR AND LIEUTENANT GOVERNOR

##### **168.51 Office of governor or lieutenant governor; eligibility.**

Sec. 51. A person is not eligible to the office of governor or lieutenant governor unless the person has attained the age of 30 years and has been a registered and qualified elector in this state for 4 years next preceding his or her election, as provided in section 22 of article V of the state constitution of 1963.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963;—Am. 1982, Act 505, Eff. Mar. 30, 1983;—Am. 2018, Act 120, Eff. Dec. 31, 2018.

**Popular name:** Election Code

##### **168.52 Gubernatorial candidates; nomination at primary.**

Sec. 52. A general primary election of all political parties shall be held in every election precinct in this state on the Tuesday succeeding the first Monday in August preceding every general November election in which a governor is to be elected, at which time the qualified and registered electors of each political party shall vote for party candidates for the office of governor. This section shall not apply to parties required to nominate candidates at caucuses or conventions.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963.

**Popular name:** Election Code

##### **168.53 Office of governor; nominating petitions; signatures; form; filing.**

Sec. 53. To obtain the printing of the name of a person as a candidate for nomination by a political party for the office of governor under a particular party heading upon the official primary ballots, there shall be filed with the secretary of state nominating petitions signed by a number of qualified and registered electors residing in this state as determined under section 544f. Nominating petitions shall be signed by at least 100 registered resident electors in each of at least 1/2 of the congressional districts of the state. Nominating petitions shall be in the form as prescribed in section 544c. Until December 31, 2013, nominating petitions shall be received by the secretary of state for filing in accordance with this act up to 4 p.m. of the twelfth Tuesday before the August primary. Beginning January 1, 2014, nominating petitions shall be received by the secretary of state for filing in accordance with this act up to 4 p.m. of the fifteenth Tuesday before the August primary.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963;—Am. 1976, Act 3, Imd. Eff. Feb. 3, 1976;—Am. 1990, Act 7, Imd. Eff. Feb. 12, 1990;—Am. 1990, Act 329, Imd. Eff. Dec. 21, 1990;—Am. 1996, Act 583, Eff. Mar. 31, 1997;—Am. 1999, Act 218, Eff. Mar. 10, 2000;—Am. 2012, Act 276, Eff. Aug. 16, 2012.

**Popular name:** Election Code

##### **168.54 Candidates for nomination; withdrawal, notice.**

Sec. 54. After the filing of a nominating petition by or in behalf of a proposed candidate for governor, such candidate shall not be permitted to withdraw unless a written notice of withdrawal is served on the secretary of state or his duly authorized agent not later than 4 p.m., eastern standard time, of the third day after the last day for filing such petitions.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963.

**Popular name:** Election Code

##### **168.55 Candidate for office of governor or lieutenant governor; write-in.**

Sec. 55. If, for any reason, there is no candidate of a political party for the office of governor or lieutenant governor, a blank space shall be provided on each of the official primary ballots that affords every elector of the political party an opportunity to vote for a candidate for those offices by writing in the name of his or her selection.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 2012, Act 276, Eff. Aug. 16, 2012.

**Popular name:** Election Code

##### **168.56 Candidate for office of governor; death; selection of candidate to fill vacancy; ballots.**

Sec. 56. If a candidate of a political party for the office of governor, after having qualified as a candidate, dies after the time specified for filing in section 53, leaving the political party without a candidate for that

office, a candidate to fill the vacancy may be selected by the state central committee of that political party, and the name of the candidate selected shall be transmitted to the county officers required by law to print and distribute ballots. The name of the candidate shall be printed on the ballot, but if the primary ballots have been printed, the county officers shall have the ballots reprinted with the candidate's name on the ballots and the reprinted ballots shall be distributed to the various voting precincts in their respective counties.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963;—Am. 1966, Act 322, Imd. Eff. July 19, 1966;—Am. 2012, Act 276, Eff. Aug. 16, 2012.

**Popular name:** Election Code

#### **168.57 Gubernatorial candidates; nominees, certification.**

Sec. 57. The candidate of each political party for the office of governor receiving the greatest number of votes cast for candidates for said office, as set forth in the report of the board of state canvassers based on the returns from the various boards of county canvassers, or as determined by the board of state canvassers as the result of a recount, shall be declared the nominee of that political party for said office at the next ensuing November election. The board of state canvassers shall forthwith certify such nominations to the secretary of state.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963.

**Popular name:** Election Code

#### **168.58 Gubernatorial candidates; withdrawal after nomination.**

Sec. 58. When a candidate of any political party for the office of governor has filed a nominating petition for such office and has been nominated for said office by said party, he shall not be permitted to withdraw unless he has removed from the state, or has become physically unfit. This prohibition shall not be construed to prohibit the withdrawal of any candidate who has been nominated without having filed a nominating petition and whose name has been written or placed on the ballot of any political party.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963.

**Popular name:** Election Code

#### **168.59 Gubernatorial candidates; death, withdrawal or disqualification; new candidate, selection, certification; ballots.**

Sec. 59. When the candidate of a political party, after having been nominated to the office of governor, shall die, withdraw as provided in section 58 of this act, remove from the state, or become disqualified for any reason, the state central committee of such party shall meet forthwith and by a majority vote of the members thereof shall select a candidate to fill the vacancy thereby caused. The name of the candidate so selected shall be immediately certified by the chairman and the secretary of said committee to the secretary of state and to the board of election commissioners for each county, whose duty it is to prepare the official ballots, and said board shall cause to be printed or placed upon such ballots in the proper place the name of the candidate so selected and certified to fill such vacancy.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963.

**Popular name:** Election Code

#### **168.60 Governor and lieutenant governor; election.**

Sec. 60. A governor and lieutenant governor shall be elected jointly at the general election in 1964, 1966, and every fourth year thereafter.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963.

**Popular name:** Election Code

#### **168.61 Governor and lieutenant governor; certificate of determination by board of state canvassers.**

Sec. 61. The board of state canvassers shall determine which candidates for governor and lieutenant governor have received the greatest number of votes and shall declare such candidates to be duly elected. The said board shall forthwith make and subscribe on its statement of return a certificate of such determination and deliver the same to the secretary of state.

**History:** 1954, Act 116, Eff. June 1, 1955.

**Popular name:** Election Code

#### **168.62 Governor and lieutenant governor; certificate of election.**

Sec. 62. The secretary of state shall file in his office and preserve the original statement and determination

of the board of state canvassers of the result of the election and shall forthwith execute and cause to be delivered to the persons thereby declared to be elected to the offices of governor and lieutenant governor certificates of election, certified by him under the great seal of the state.

**History:** 1954, Act 116, Eff. June 1, 1955.

**Popular name:** Election Code

#### **168.63 Governor and lieutenant governor; terms of office.**

Sec. 63. The terms of office of governor and lieutenant governor shall commence at 12 noon on January 1 next following the election, and shall continue until a successor is elected and qualified. The terms of office of the governor and lieutenant governor elected at the general election of 1964 shall be 2 years. The terms of office of the governor and lieutenant governor elected at the general election in 1966 and every fourth year thereafter shall be 4 years.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963.

**Popular name:** Election Code

#### **168.64 Governor and lieutenant governor; oath of office, deposit.**

Sec. 64. Every person elected to the office of governor or lieutenant governor, before entering upon the duties of his office, shall take and subscribe to the oath as provided in section 1 of article 11 of the state constitution and deposit same with the secretary of state.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963.

**Popular name:** Election Code

#### **168.65 Governor or lieutenant governor; resignation, notice.**

Sec. 65. Any person duly elected to the office of governor or lieutenant governor who desires to resign shall file a written notice containing the effective date of such resignation with the legislature and the secretary of state.

**History:** 1954, Act 116, Eff. June 1, 1955.

**Popular name:** Election Code

#### **168.66 Governor or lieutenant governor; vacancy, creation; impeachment.**

Sec. 66. The office of governor or lieutenant governor shall become vacant upon the happening of any of the following events: Death of the incumbent; his resignation; his removal from office for cause; his ceasing to be a resident of the state; his conviction of an infamous crime, or an offense involving the violation of his oath of office; the decision of a competent tribunal declaring his election void; or his neglect or refusal to take and subscribe to the constitutional oath of office and deposit the same in the manner and within the time prescribed by law.

Any person holding the office of governor or lieutenant governor may be removed from office upon conviction in impeachment proceedings as provided in section 7 of article 11 of the state constitution.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963.

**Popular name:** Election Code

#### **168.67 Offices of governor and lieutenant governor; vacancy; death or failure to qualify of governor-elect or lieutenant governor-elect; devolution of powers and duties.**

Sec. 67. If a vacancy occurs in the office of governor, the powers and duties of that office shall devolve upon the lieutenant governor for the remainder of the term or until the disability ceases. If the lieutenant governor succeeds to the office of governor, or if a vacancy occurs in the office of lieutenant governor, the senate, by resolution, with a record roll call vote, shall appoint an acting lieutenant governor of the same political party as the governor who shall serve for the remainder of the term or until the disability ceases. If a vacancy occurs in both the offices of governor and lieutenant governor, the elected secretary of state, the elected attorney general, the senate president pro tempore, and the speaker of the house of representatives, in that order shall act as governor until the vacancy is filled or the disability of either the governor or lieutenant governor ceases, as provided in section 26 of article 5 of the state constitution of 1963. Should the governor-elect die or fail to qualify by the first of January next following his or her election, the lieutenant governor-elect shall qualify and exercise all the powers and duties of the office of governor for the entire term, or until the governor-elect shall qualify. Should the lieutenant governor-elect also die or fail to qualify, the powers and duties of the office of governor shall devolve upon the secretary of state-elect and the attorney general-elect in that order in a like manner.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963;—Am. 1969, Act 8, Eff. Mar. 1, 1969.  
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20, 1970;—Am. 1981, Act 44, Imd. Eff. May 13, 1981.

**Popular name:** Election Code

**168.68 Governor or lieutenant governor; recount of vote.**

Sec. 68. The votes cast for any candidate for the office of governor or lieutenant governor at any primary or election shall be subject to recount as provided in chapter 33 of this act.

**History:** 1954, Act 116, Eff. June 1, 1955.

**Popular name:** Election Code

**168.69 Governor or lieutenant governor; recall.**

Sec. 69. Any person elected to the office of governor or lieutenant governor shall be subject to recall as provided in chapter 36 of this act and in section 8 of article 2 of the state constitution.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 34, Imd. Eff. Dec. 27, 1963.

**Popular name:** Election Code