



HOUSE BILL No. 4481

February 28, 1995, Introduced by Reps. Llewellyn, McBryde, Byl, Goschka, Hammerstrom, Dalman, Rhead, Cropsey, Lowe, Hill, Jaye, Palamara, Horton, Gernaat, Law, Bodem, London, Gustafson, Bobier, Geiger, Weeks, Galloway and Bush and referred to the Committee on Local Government.

A bill to amend section 544c of Act No. 116 of the Public Acts of 1954, entitled
"Michigan election law,"
as amended by Act No. 137 of the Public Acts of 1993, being section 168.544c of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 544c of Act No. 116 of the Public Acts
2 of 1954, as amended by Act No. 137 of the Public Acts of 1993,
3 being section 168.544c of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 544c. (1) A nominating petition shall be 8-1/2 inches
6 by 14 inches in size. On a nominating petition, the words
7 "nominating petition" shall be printed in 24-point boldface
8 type. "We, the undersigned," et cetera shall be printed in
9 8-point type. "Warning" and language in the warning shall be

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

6 NOMINATING PETITION

7 (PARTISAN)

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

21 WARNING

22 A person who knowingly signs more petitions for the same
 23 office than there are persons to be elected to the office, ~~or~~
 24 signs a name other than his or her own, OR RECEIVES COMPENSATION
 25 FOR SIGNING THIS PETITION is ~~violating~~ IN VIOLATION OF the pro-
 26 visions of the Michigan election law.

1
 2 Printed Street Address
 3 Name and or Post Office Date of Signing
 4 Signature Rural Route Mo. Day Year
 5
 6 1. _____
 7 2. _____
 8 3. _____
 9 4. _____
 10 numbered lines as above

11 CERTIFICATE OF CIRCULATOR

12 The undersigned circulator of the above petition asserts
 13 that he or she is qualified to circulate this petition, THAT HE
 14 OR SHE IS NOT BEING COMPENSATED FOR CIRCULATING THE PETITION, and
 15 that each signature on the petition was signed in his or her
 16 presence; and that, to his or her best knowledge and belief, each
 17 signature is the genuine signature of the person purporting to
 18 sign the petition, the person signing the petition was at the
 19 time of signing a qualified registered elector of the city or
 20 township listed in the heading of the petition, and the elector
 21 was qualified to sign the petition.

22 Circulator--Do not sign or date certificate until after cir-
 23 culating petition.

24
 25 _____
 (Printed Name and Signature of Circulator) (Date)
 26
 27 _____
 (City or Township Where Registered)
 28
 29 _____
 Complete Address (Street and Number or Rural Route)
 30
 31 _____
 (Post Office)

1 Warning-A circulator knowingly making a false statement in
2 the above certificate, a person not a circulator who signs as a
3 circulator, or a person who signs a name other than his or her
4 own as circulator is guilty of a misdemeanor.

5 (2) The petition shall be in a form providing a space for
6 the circulator and each elector who signs the petition to print
7 his or her name. The secretary of state shall prescribe the
8 location of the space for the printed name. The failure of the
9 circulator or an elector who signs the petition to print his or
10 her name or to print his or her name in the location prescribed
11 by the secretary of state does not affect the validity of the
12 signature of the circulator or the elector who signs the
13 petition. A printed name located in the space prescribed for
14 printed names does not constitute the signature of the circulator
15 or elector.

16 (3) At the time of circulation, the circulator of a petition
17 shall be a registered elector of this state. At the time of exe-
18 cuting the certificate of circulator, the circulator shall be
19 registered in the city or township indicated in the certificate
20 of circulator on the petition.

21 (4) The circulator of a petition shall sign and date the
22 certificate of circulator before the petition is filed. A circu-
23 lator shall not obtain electors' signatures after the circulator
24 has signed and dated the certificate of circulator. A filing
25 official shall not count electors' signatures that were obtained
26 after the date the circulator signed the certificate or that are

1 contained in a petition that the circulator did not sign and
2 date.

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

10 (6) A person shall not sign more nominating petitions for
11 the same office than there are persons to be elected to the
12 office.

13 (7) A person who signs a petition with a name other than his
14 or her own is guilty of a misdemeanor.

15 (8) A person who knowingly ~~makes~~ DOES ANY OF THE FOLLOWING
16 IS GUILTY OF A MISDEMEANOR:

17 (A) MAKES a false statement in a certificate on a petition.

18 ~~/, a person not a circulator who signs~~

19 (B) SIGNS as a circulator ~~/, or a person who signs~~ IF HE OR
20 SHE IS NOT THE PERSON WHO CIRCULATED THAT PETITION.

21 (C) SIGNS a name as circulator other than his or her own.
22 ~~is guilty of a misdemeanor.~~

23 (D) SIGNS A PETITION FOR COMPENSATION.

24 (E) CIRCULATES A PETITION FOR COMPENSATION.

25 (9) A person who aids or abets another in an act that is
26 prohibited by this section is guilty of a misdemeanor.

1 (10) ~~The provisions of~~ EXCEPT AS OTHERWISE PROVIDED BY
2 LAW, this section ~~except as otherwise expressly provided apply~~
3 APPLIES to all petitions circulated under THE authority of ~~the~~
4 ~~election law~~ THIS ACT.