

**SUBSTITUTE FOR
SENATE BILL NO. 440**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 2, 3, 4, 321, 322, 358a, 370, 381, 382, 473b, 497, 498, 509aa, 509cc, 538, 598, 635, 643, 644e, 644a, 646a, 821, 963, and 971 (MCL 168.2, 168.3, 168.4, 168.321, 168.322, 168.358a, 168.370, 168.381, 168.382, 168.473b, 168.497, 168.498, 168.509aa, 168.509cc, 168.538, 168.598, 168.635, 168.643, 168.644e, 168.644a, 168.646a, 168.821, 168.963, and 168.971), section 2 as amended by 1999 PA 216, section 321 as amended by 1994 PA 277, section 322 as amended by 1999 PA 218, section 358a as amended by 1990 PA 235, section 370 as amended by 1990 PA 83, section 381 as amended by 1991 PA 16, section 473b as added by 1999 PA 219, section 497 as amended by 1989 PA 142, section 498 as amended by 1984 PA 89, section 509aa as amended by 2001 PA 269, section 509cc as added by 1994 PA 441, section 598 as amended by 1988 PA 116, section 643 as amended by 1998 PA 364, section 646a as amended by 1990 PA 7, section 821 as amended by 1988 PA 275, and section 963 as amended by 1999 PA 220, and by adding chapter XIV and sections 642, 642a, and 659; and to repeal acts and parts of acts.

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THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (A) "ABSENT VOTER" IS DEFINED IN SECTION 758.

3 (B) "BALLOT CONTAINER" IS DEFINED IN SECTION 14A.

4 (C) ~~(a)~~ "Business day" or "secular day" means a day that
5 is not a Saturday, Sunday, or legal holiday.

6 (D) ~~(b)~~ "Election" means ~~any~~ AN election or primary
7 election ~~—~~ at which the electors of this state or of ~~any~~ A
8 subdivision of this state choose or nominate by ballot AN INDI-
9 VIDUAL FOR public ~~officials~~ OFFICE or decide ~~any public~~ A
10 BALLOT question lawfully submitted to them.

11 (E) "ELECTION PRECINCT" IS DEFINED IN SECTION 654.

12 (F) "FALL" STATE AND COUNTY CONVENTIONS AND "SPRING" STATE
13 AND COUNTY CONVENTIONS ARE ASSIGNED MEANINGS IN SECTION 596.

14 (G) "GENERAL ELECTION" OR "GENERAL NOVEMBER ELECTION" MEANS
15 THE ELECTION HELD ON THE NOVEMBER ELECTION DAY IN AN EVEN NUM-
16 BERED YEAR.

17 (H) "IMMEDIATE FAMILY" MEANS AN INDIVIDUAL'S FATHER, MOTHER,
18 SON, DAUGHTER, BROTHER, SISTER, AND SPOUSE AND A RELATIVE OF ANY
19 DEGREE RESIDING IN THE SAME HOUSEHOLD AS THAT INDIVIDUAL.

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1 Sec. 3. ~~The term "general November election", as used in~~
2 ~~this act, shall mean the election provided to be held in the~~
3 ~~state on the first Tuesday after the first Monday of November in~~
4 ~~every even numbered year.~~ AS USED IN THIS ACT:

5 (A) "LOCKED AND SEALED" IS DEFINED IN SECTION 14.

6 (B) "MAJOR POLITICAL PARTY" IS DEFINED IN SECTION 16.

7 (C) "METAL SEAL" OR "SEAL" IS DEFINED IN SECTION 14A.

8 (D) "ODD YEAR GENERAL ELECTION" MEANS THE ELECTION HELD ON
9 THE NOVEMBER ELECTION DAY IN AN ODD NUMBERED YEAR.

10 (E) "ODD YEAR PRIMARY ELECTION" MEANS THE ELECTION HELD ON
11 THE AUGUST ELECTION DAY IN AN ODD NUMBERED YEAR.

12 (F) "PRIMARY" OR "PRIMARY ELECTION" IS DEFINED IN SECTION
13 7.

14 (G) "PRINTER TYPE VOTING MACHINE" IS DEFINED IN SECTION
15 791A.

16 (H) "QUALIFIED ELECTOR" IS DEFINED IN SECTION 10.

17 (I) "QUALIFIED VOTER FILE" IS DEFINED IN SECTION 509M.

18 (J) "REGULAR ELECTION" MEANS AN ELECTION HELD ON A STANDARD
19 ELECTION DAY TO ELECT AN INDIVIDUAL TO, OR NOMINATE AN INDIVIDUAL
20 FOR, ELECTIVE OFFICE IN THE REGULAR COURSE OF THE TERMS OF THAT
21 ELECTIVE OFFICE.

22 (K) "RESIDENCE" IS DEFINED IN SECTION 11.

23 (L) "STANDARD ELECTION DAY" MEANS A FEBRUARY ELECTION DAY,
24 MAY ELECTION DAY, AUGUST ELECTION DAY, OR NOVEMBER ELECTION DAY
25 AS ESTABLISHED IN SECTION 641.

26 Sec. 4. ~~The term "biennial spring election", "spring~~
27 ~~election" or other similar term, as used in city or village~~

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1 ~~charters unless otherwise defined therein, shall mean the local~~
2 ~~election to be held on the first Monday of April in every odd~~
3 ~~numbered year.~~ AS USED IN THIS ACT:

4 (A) "SCHOOL BOARD" MEANS THE GOVERNING BODY OF A SCHOOL DIS-
5 TRICT, INCLUDING THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE.

6 (B) "SCHOOL BOARD MEMBER" MEANS AN INDIVIDUAL HOLDING THE
7 OFFICE OF SCHOOL BOARD MEMBER UNDER THE REVISED SCHOOL CODE, 1976
8 PA 451, MCL 380.1 TO 380.1852, OR THE OFFICE OF BOARD OF TRUSTEES
9 MEMBER UNDER THE COMMUNITY COLLEGE ACT OF 1966, 1966 PA 331, MCL
10 389.1 TO 389.195. SCHOOL BOARD MEMBER INCLUDES A SCHOOL BOARD
11 MEMBER OF AN INTERMEDIATE SCHOOL DISTRICT IF THAT INTERMEDIATE
12 SCHOOL DISTRICT HAS ADOPTED SECTIONS 615 TO 617 OF THE REVISED
13 SCHOOL CODE, 1976 PA 451, MCL 380.615 TO 380.617.

14 (C) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT, A LOCAL ACT
15 SCHOOL DISTRICT, OR AN INTERMEDIATE SCHOOL DISTRICT, AS THOSE
16 TERMS ARE DEFINED IN THE REVISED SCHOOL CODE, 1976 PA 451,
17 MCL 380.1 TO 380.1852, OR A COMMUNITY COLLEGE DISTRICT UNDER THE
18 COMMUNITY COLLEGE ACT OF 1966, 1966 PA 331, MCL 389.1 TO 389.195.

19 (D) "SCHOOL DISTRICT ELECTION COORDINATING COMMITTEE" MEANS
20 1 OF THE FOLLOWING:

21 (i) FOR A SCHOOL DISTRICT WHOSE ENTIRE TERRITORY LIES WITHIN
22 A SINGLE CITY OR TOWNSHIP, A COMMITTEE COMPOSED OF THE SECRETARY
23 OF THE SCHOOL BOARD, THE CITY OR TOWNSHIP ELECTION COMMISSION,
24 AND THE SCHOOL DISTRICT ELECTION COORDINATOR.

25 (ii) FOR A SCHOOL DISTRICT THAT HAS TERRITORY IN MORE THAN 1
26 CITY OR TOWNSHIP, A COMMITTEE COMPOSED OF THE SECRETARY OF THE
27 SCHOOL BOARD, THE SCHOOL DISTRICT ELECTION COORDINATOR, AND THE

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1 CLERK OF EACH CITY OR TOWNSHIP IN WHICH SCHOOL DISTRICT TERRITORY
2 IS LOCATED.

3 (E) "SCHOOL DISTRICT ELECTION COORDINATOR" MEANS 1 OF THE
4 FOLLOWING:

5 (i) FOR A SCHOOL DISTRICT WHOSE ENTIRE TERRITORY LIES WITHIN
6 A SINGLE CITY OR TOWNSHIP, THE CITY OR TOWNSHIP CLERK.

7 (ii) FOR A SCHOOL DISTRICT THAT HAS TERRITORY IN MORE THAN 1
8 CITY OR TOWNSHIP, THE COUNTY CLERK OF THE COUNTY IN WHICH THE
9 LARGEST NUMBER OF REGISTERED SCHOOL DISTRICT ELECTORS RESIDE.

10 (F) "SEPTEMBER PRIMARY ELECTION" MEANS THE PRIMARY ELECTION
11 HELD ON THE FIRST TUESDAY AFTER THE SECOND MONDAY IN SEPTEMBER.

12 (G) "SPECIAL ELECTION" MEANS AN ELECTION OTHER THAN A REGU-
13 LAR ELECTION.

14 (H) "SPECIAL PRIMARY" MEANS A PRIMARY CALLED BY COMPETENT
15 AUTHORITY FOR THE NOMINATION OF CANDIDATES TO BE VOTED FOR AT A
16 SPECIAL ELECTION.

17 (I) "VILLAGE" IS DEFINED IN SECTION 9.

18 CHAPTER XIV.

19 SCHOOL AND COMMUNITY COLLEGE ELECTIONS

20 SEC. 301. (1) UNLESS A PARTICULAR POWER OR DUTY OF AN ELEC-
21 TION OFFICIAL OR A PARTICULAR ELECTION PROCEDURE IS SPECIFICALLY
22 GOVERNED BY A PROVISION OF THIS CHAPTER, A SCHOOL DISTRICT ELEC-
23 TION IS GOVERNED BY THE PROVISIONS OF THIS ACT THAT GENERALLY
24 GOVERN ELECTIONS.

25 (2) EXCEPT AS PROVIDED IN SECTION 305, THE SCHOOL DISTRICT
26 ELECTION COORDINATOR FOR A SCHOOL DISTRICT SHALL CONDUCT EACH
27 REGULAR ELECTION AND EACH SPECIAL ELECTION THAT IS REQUESTED BY

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1 THE SCHOOL BOARD TO SUBMIT A BALLOT QUESTION OR TO FILL A VACANCY
2 ON THE SCHOOL BOARD. THE FILING OFFICIAL FOR A SCHOOL DISTRICT
3 IS THE SCHOOL DISTRICT ELECTION COORDINATOR OR AN AUTHORIZED
4 AGENT OF THE SCHOOL DISTRICT ELECTION COORDINATOR. IN ADDITION
5 TO RECEIVING NOMINATING PETITIONS AND REQUESTS FROM THE SCHOOL
6 BOARD TO HOLD SPECIAL ELECTIONS, THE SCHOOL DISTRICT ELECTION
7 COORDINATOR SHALL DO ALL OF THE FOLLOWING:

8 (A) PROCURE THE NECESSARY QUALIFIED VOTER FILE PRECINCT
9 LISTS.

10 (B) CERTIFY CANDIDATES.

11 (C) RECEIVE BALLOT PROPOSAL LANGUAGE.

12 (D) ISSUE ABSENT VOTER BALLOTS.

13 SEC. 302. AN INDIVIDUAL IS ELIGIBLE FOR ELECTION AS A
14 SCHOOL BOARD MEMBER IF THE INDIVIDUAL IS A CITIZEN OF THE UNITED
15 STATES AND IS A QUALIFIED AND REGISTERED ELECTOR OF THE SCHOOL
16 DISTRICT THE INDIVIDUAL SEEKS TO REPRESENT BY THE FILING
17 DEADLINE. AT LEAST 1 SCHOOL BOARD MEMBER FOR A SCHOOL DISTRICT
18 SHALL BE ELECTED AT EACH OF THE SCHOOL DISTRICT'S REGULAR ELEC-
19 TIONS HELD AS PROVIDED IN SECTION 642A. EXCEPT AS OTHERWISE PRO-
20 VIDED IN THIS SECTION OR SECTION 310 OR 644G, A SCHOOL BOARD
21 MEMBER'S TERM OF OFFICE IS PRESCRIBED BY THE APPLICABLE PROVISION
22 OF SECTION 11A, 617, 701, OR 703 OF THE REVISED SCHOOL CODE, 1976
23 PA 451, MCL 380.11A, 380.617, 380.701, AND 380.703, OR
24 SECTION 34, 34A, 41, 54, OR 83 OF THE COMMUNITY COLLEGE ACT OF
25 1966, 1966 PA 331, MCL 389.34, 389.34A, 389.41, 389.54, AND
26 389.83. A SCHOOL BOARD MEMBER'S TERM BEGINS ON 1 OF THE
27 FOLLOWING DATES:

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1 (A) IF ELECTED AT AN ELECTION HELD ON A NOVEMBER ELECTION
2 DAY, NOVEMBER 20 IMMEDIATELY FOLLOWING THE ELECTION.

3 (B) IF ELECTED AT AN ELECTION HELD ON A MAY ELECTION DAY,
4 MAY 20 IMMEDIATELY FOLLOWING THE ELECTION.

5 SEC. 303. (1) SUBJECT TO SUBSECTION (4), FOR AN
6 INDIVIDUAL'S NAME TO APPEAR ON THE OFFICIAL BALLOT AS A CANDIDATE
7 FOR SCHOOL BOARD MEMBER, THE CANDIDATE SHALL FILE A NOMINATING
8 PETITION AND THE AFFIDAVIT REQUIRED BY SECTION 558 WITH THE
9 SCHOOL DISTRICT FILING OFFICIAL NOT LATER THAN 4 P.M. ON THE
10 NINTH TUESDAY BEFORE THE ELECTION DATE. THE NOMINATING PETITION
11 MUST BE SIGNED BY THE FOLLOWING NUMBER OF ELECTORS OF THE SCHOOL
12 DISTRICT:

13 (A) IF THE POPULATION OF THE SCHOOL DISTRICT IS LESS THAN
14 10,000 ACCORDING TO THE MOST RECENT FEDERAL CENSUS, A MINIMUM OF
15 6 AND A MAXIMUM OF 20.

16 (B) IF THE POPULATION OF THE SCHOOL DISTRICT IS 10,000 OR
17 MORE ACCORDING TO THE MOST RECENT FEDERAL CENSUS, A MINIMUM OF 40
18 AND A MAXIMUM OF 100.

19 (2) THE NOMINATING PETITION SHALL BE SUBSTANTIALLY IN THE
20 FORM PRESCRIBED IN SECTION 544C, EXCEPT THAT THE PETITION SHALL
21 BE NONPARTISAN AND SHALL INCLUDE THE FOLLOWING OPENING
22 PARAGRAPH:

23 WE, THE UNDERSIGNED, REGISTERED AND QUALIFIED VOTERS OF
24 _____ AND RESIDENTS OF THE
25 (LEGAL NAME OF SCHOOL DISTRICT)
26 _____, THE COUNTY OF _____, STATE

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1 (CITY OR TOWNSHIP)

2 OF MICHIGAN, NOMINATE _____

3 (NAME OF CANDIDATE)

4 _____, A REGISTERED

5 (STREET ADDRESS) (POST-OFFICE ADDRESS)

6 AND QUALIFIED ELECTOR OF THE DISTRICT AS A MEMBER OF THE BOARD OF

7 EDUCATION OF THE SCHOOL DISTRICT FOR A TERM OF _____ YEARS,

8 EXPIRING _____, TO BE VOTED FOR AT THE ELECTION TO BE HELD ON THE

9 _____ DAY OF _____, _____.

10 (MONTH) (YEAR)

11 (3) A SCHOOL ELECTOR SHALL NOT SIGN PETITIONS FOR MORE CAN-

12 DIDATES THAN ARE TO BE ELECTED. A PETITION SHEET SHALL NOT BE

13 CIRCULATED IN MORE THAN 1 TOWNSHIP OR CITY.

14 (4) INSTEAD OF FILING NOMINATING PETITIONS, A CANDIDATE FOR

15 SCHOOL BOARD MEMBER MAY PAY A NONREFUNDABLE FILING FEE OF \$100.00

16 TO THE SCHOOL DISTRICT FILING OFFICIAL. IF THIS FEE IS PAID BY

17 THE DUE DATE FOR A NOMINATING PETITION, THE PAYMENT HAS THE SAME

18 EFFECT UNDER THIS SECTION AS THE FILING OF A NOMINATING

19 PETITION.

20 (5) UPON THE FILING OF A NOMINATING PETITION, THE SCHOOL

21 DISTRICT FILING OFFICIAL SHALL CANVASS THE PETITION TO ASCERTAIN

22 IF THE PETITION HAS BEEN SIGNED BY THE REQUISITE NUMBER OF SCHOOL

23 ELECTORS, AND FOR THE PURPOSE OF DETERMINING THEIR VALIDITY MAY

24 CHECK DOUBTFUL SIGNATURES AGAINST THE REGISTRATION RECORDS BY THE

25 CLERK OF THE POLITICAL SUBDIVISION IN WHICH EACH PETITION WAS

26 CIRCULATED TO DETERMINE THE AUTHENTICITY OF THE SIGNATURES. IF

27 IT IS DETERMINED THAT THE NOMINATING PETITION OF A CANDIDATE DOES

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1 NOT COMPLY WITH THE REQUIREMENTS, INCLUDING THE FACT THAT THE
2 CANDIDATE DOES NOT POSSESS THE QUALIFICATIONS AS REQUIRED BY LAW
3 FOR SCHOOL BOARD MEMBER, OR IF FOR ANOTHER CAUSE THE CANDIDATE IS
4 NOT ENTITLED TO HAVE HIS OR HER NAME PRINTED UPON THE OFFICIAL
5 ELECTION BALLOT, THE SCHOOL DISTRICT FILING OFFICIAL SHALL NOTIFY
6 THE CANDIDATE IMMEDIATELY.

7 (6) AFTER A NOMINATING PETITION IS FILED OR FILING FEE IS
8 PAID FOR A CANDIDATE FOR SCHOOL BOARD MEMBER, THE CANDIDATE IS
9 NOT PERMITTED TO WITHDRAW UNLESS A WRITTEN WITHDRAWAL NOTICE,
10 SIGNED BY THE CANDIDATE, IS FILED WITH THE SCHOOL DISTRICT FILING
11 OFFICIAL NOT LATER THAN 4 P.M. OF THE THIRD DAY AFTER THE LAST
12 DAY FOR FILING THE NOMINATING PETITION. IF THE SCHOOL DISTRICT
13 FILING OFFICIAL IS NOT A COUNTY CLERK, THE SCHOOL DISTRICT FILING
14 OFFICIAL SHALL NOTIFY THE COUNTY CLERK OF THE CANDIDATES' NAMES
15 AND ADDRESSES NOT LATER THAN 3 DAYS AFTER THE LAST DAY FOR FILING
16 A WITHDRAWAL NOTICE.

17 SEC. 305. (1) WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF
18 THIS CHAPTER, THE SCHOOL DISTRICT ELECTION COORDINATING COMMITTEE
19 FOR EACH SCHOOL DISTRICT SHALL HOLD AN INITIAL MEETING. WITHIN
20 14 DAYS AFTER CONVENING THE INITIAL MEETING, THE SCHOOL DISTRICT
21 ELECTION COORDINATING COMMITTEE SHALL FILE A REPORT WITH THE SEC-
22 RETARY OF STATE THAT SETS FORTH THE ARRANGEMENTS THAT ARE AGREED
23 UPON FOR THE CONDUCT OF THE SCHOOL DISTRICT'S ELECTIONS. EACH
24 SCHOOL DISTRICT ELECTION COORDINATING COMMITTEE MEMBER SHALL SIGN
25 THE REPORT AND RETAIN A COPY.

26 (2) AFTER FILING ITS INITIAL REPORT UNDER SUBSECTION (1), A
27 SCHOOL DISTRICT ELECTION COORDINATING COMMITTEE SHALL MEET AT

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1 2-YEAR INTERVALS TO REVIEW AND, IF NECESSARY, ALTER THE ELECTION
2 ARRANGEMENTS SET FORTH IN ITS PREVIOUS REPORT. AFTER EACH
3 REVIEW, A SCHOOL DISTRICT ELECTION COORDINATING COMMITTEE SHALL
4 EITHER NOTIFY THE SECRETARY OF STATE IN WRITING THAT ITS PREVIOUS
5 REPORT IS NOT BEING ALTERED OR FILE WITH THE SECRETARY OF STATE A
6 REPORT WITH THE ALTERATIONS. A PERSON PARTICIPATING IN THE
7 ARRANGEMENTS IN A SCHOOL DISTRICT ELECTION COORDINATING
8 COMMITTEE'S REPORT IS BOUND BY THOSE ARRANGEMENTS FOR AT LEAST
9 2 YEARS AFTER THE REPORT IS FILED AND CONTINUES TO BE BOUND UNTIL
10 AN ALTERED REPORT IS FILED.

11 (3) THE ARRANGEMENTS AGREED UPON BY A SCHOOL DISTRICT ELECTION
COORDINATING COMMITTEE FOR THE CONDUCT OF THE SCHOOL DISTRICT'S ELECTIONS
SHALL EFFECT BOTH OF THE FOLLOWING:

(A) IN THE EVENT THAT A SCHOOL DISTRICT ELECTION IS HELD ON THE SAME
DAY AS AN ELECTION OF A JURISDICTION THAT OVERLAPS WITH THE SCHOOL
DISTRICT. AN ELECTOR WISHING TO VOTE IN BOTH ELECTIONS SHALL NOT BE
REQUIRED TO VOTE AT 2 DIFFERENT LOCATIONS.

(B) IF
12 A CITY OR TOWNSHIP CLERK NOTIFIES THE SCHOOL DISTRICT ELECTION
13 COORDINATING COMMITTEE, BEFORE THE FILING OF ITS INITIAL REPORT
14 OR OF A NOTICE OR ALTERED REPORT AFTER ITS 2-YEAR REVIEW, THAT
15 THE CITY OR TOWNSHIP CLERK HAS DECIDED TO PARTICIPATE IN THE CON-
16 DUCT OF THE SCHOOL DISTRICT'S ELECTIONS, THE SCHOOL DISTRICT
17 ELECTION COORDINATING COMMITTEE SHALL INCLUDE THAT CITY OR TOWN-
18 SHIP CLERK IN ITS INITIAL OR AN ALTERED REPORT AS THE PERSON CON-
19 DUCTING THE SCHOOL DISTRICT'S ELECTIONS IN THE CLERK'S CITY OR
20 TOWNSHIP.

(4) NOTWITHSTANDING THE OTHER PROVISIONS OF THIS CHAPTER, IF
22 A CITY OR TOWNSHIP IS HOLDING AN ELECTION FOR ELECTIVE OFFICE OR
23 ON A BALLOT PROPOSAL AT THE SAME TIME THAT A SCHOOL DISTRICT
24 LOCATED IN WHOLE OR PART IN THE CITY OR TOWNSHIP IS HOLDING AN
25 ELECTION, THE CITY OR TOWNSHIP CLERK SHALL ALSO CONDUCT THE
26 SCHOOL DISTRICT ELECTION WITHIN HIS OR HER JURISDICTION. IF A
27 CITY OR TOWNSHIP CLERK IS CONDUCTING A SCHOOL ELECTION UNDER THIS

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1 SUBSECTION, THE CLERK SHALL USE THE SAME PRECINCTS THAT ARE USED
2 FOR STATE AND FEDERAL ELECTIONS AS THE PRECINCTS FOR THE SCHOOL
3 DISTRICT ELECTION. IF THESE PRECINCTS CHANGE THE POLLING PLACE
4 LOCATION FOR SCHOOL DISTRICT ELECTORS, THE CLERK SHALL NOTIFY
5 THOSE SCHOOL DISTRICT ELECTORS OF THE LOCATION OF THE DIFFERENT
6 POLLING PLACE.

7 SEC. 307. (1) THE APPROPRIATE BOARD OF CANVASSERS AS PRE-
8 SCRIBED IN SECTION 24A OR 30A SHALL CANVASS THE VOTES FOR CANDI-
9 DATES FOR SCHOOL BOARD MEMBER AND VOTES FOR AND AGAINST A BALLOT
10 QUESTION AT A REGULAR OR SPECIAL ELECTION IN EACH SCHOOL
11 DISTRICT. THAT NUMBER OF CANDIDATES EQUAL TO THE NUMBER OF INDI-
12 VIDUALS TO BE ELECTED WHO RECEIVE THE GREATEST NUMBER OF VOTES
13 CAST AT THE ELECTION, AS SET FORTH IN THE REPORT OF THE BOARD OF
14 CANVASSERS CANVASSING THE VOTES, BASED UPON THE RETURNS FROM THE
15 ELECTION PRECINCTS OR AS DETERMINED BY THE BOARD OF CANVASSERS AS
16 A RESULT OF A RECOUNT, ARE ELECTED TO THE OFFICE OF SCHOOL BOARD
17 MEMBER. UPON COMPLETION OF THE CANVASS, THE BOARD OF CANVASSERS
18 SHALL MAKE A STATEMENT OF RETURNS AND CERTIFY THE ELECTION OF
19 SCHOOL BOARD MEMBERS TO THE SECRETARY OF THE SCHOOL BOARD, THE
20 COUNTY CLERK, AND, IF OTHER THAN THE COUNTY CLERK, THE SCHOOL
21 DISTRICT ELECTION COORDINATOR.

22 (2) THE VOTES CAST FOR A CANDIDATE FOR SCHOOL BOARD MEMBER
23 OR ON A BALLOT QUESTION SUBMITTED TO THE ELECTORS AT A SCHOOL
24 ELECTION ARE SUBJECT TO RECOUNT AS PROVIDED IN CHAPTER XXXIII.
25 AN INDIVIDUAL ELECTED TO THE OFFICE OF SCHOOL BOARD MEMBER IS
26 SUBJECT TO RECALL AS PROVIDED IN CHAPTER XXXVI AND IN SECTION 8
27 OF ARTICLE II OF THE STATE CONSTITUTION OF 1963.

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1 SEC. 308. A LOCAL OFFICIAL WHO RECEIVES THE CERTIFICATION
2 OF THE BOARD OF CANVASSERS UNDER SECTION 307 SHALL PRESERVE AND
3 FILE IN HIS OR HER OFFICE THE CERTIFIED STATEMENT OF RETURNS AND
4 CERTIFICATION OF THE BOARD OF CANVASSERS OF THE RESULT OF THE
5 ELECTION. THE CITY, TOWNSHIP, OR COUNTY CLERK WHO IS THE SECRE-
6 TARY TO THE BOARD OF CANVASSERS CANVASSING THE SCHOOL BOARD ELEC-
7 TION SHALL IMMEDIATELY EXECUTE AND PROVIDE TO THE INDIVIDUALS
8 DECLARED ELECTED TO THE OFFICE OF SCHOOL BOARD MEMBER A CERTIFI-
9 CATE OF ELECTION.

10 SEC. 310. (1) BEFORE ENTERING UPON THE DUTIES OF HIS OR HER
11 OFFICE, AN INDIVIDUAL ELECTED TO THE OFFICE OF SCHOOL BOARD
12 MEMBER SHALL TAKE AND SUBSCRIBE TO THE OATH PROVIDED IN SECTION 1
13 OF ARTICLE XI OF THE STATE CONSTITUTION OF 1963.

14 (2) THE OFFICE OF A SCHOOL BOARD MEMBER BECOMES VACANT IMME-
15 DIATELY, REGARDLESS OF DECLARATION BY AN OFFICER OR ACCEPTANCE BY
16 THE SCHOOL BOARD OR 1 OR MORE OF ITS MEMBERS, UPON ANY OF THE
17 FOLLOWING EVENTS:

18 (A) THE DEATH OF THE SCHOOL BOARD MEMBER.

19 (B) THE SCHOOL BOARD MEMBER'S BEING ADJUDICATED INSANE OR
20 BEING FOUND TO BE A LEGALLY INCAPACITATED INDIVIDUAL BY A COURT
21 OF COMPETENT JURISDICTION.

22 (C) THE SCHOOL BOARD MEMBER'S RESIGNATION.

23 (D) THE SCHOOL BOARD MEMBER'S REMOVAL FROM OFFICE.

24 (E) THE SCHOOL BOARD MEMBER'S CONVICTION FOR A FELONY.

25 (F) THE SCHOOL BOARD MEMBER'S ELECTION OR APPOINTMENT BEING
26 DECLARED VOID BY A COMPETENT TRIBUNAL.

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1 (G) THE SCHOOL BOARD MEMBER'S NEGLIGENCE OR FAILURE TO FILE THE
2 ACCEPTANCE OF OFFICE, TO TAKE THE OATH OF OFFICE, OR TO GIVE OR
3 RENEW AN OFFICIAL BOND REQUIRED BY LAW.

4 (H) THE SCHOOL BOARD MEMBER CEASING TO POSSESS THE LEGAL
5 QUALIFICATIONS FOR HOLDING OFFICE.

6 (I) THE SCHOOL BOARD MEMBER MOVING HIS OR HER RESIDENCE FROM
7 THE SCHOOL DISTRICT.

8 SEC. 311. (1) EXCEPT AS PROVIDED IN SUBSECTION (4), IF A
9 VACANCY IN THE OFFICE OF SCHOOL BOARD MEMBER OCCURS MORE THAN 90
10 DAYS BEFORE THE LAST DAY OF THAT SCHOOL BOARD MEMBER'S TERM, THE
11 REMAINING MEMBERS OF THE SCHOOL BOARD MAY FILL THE VACANCY BY
12 APPOINTING A QUALIFIED AND REGISTERED ELECTOR OF THE SCHOOL
13 DISTRICT. AN APPOINTMENT UNDER THIS SUBSECTION IS NOT VALID
14 UNLESS MADE BY A MAJORITY OF THE REMAINING SCHOOL BOARD MEMBERS
15 WITHIN 45 DAYS AFTER THE VACANCY OCCURS. AN INDIVIDUAL APPOINTED
16 UNDER THIS SUBSECTION HOLDS THE OFFICE OF SCHOOL BOARD MEMBER
17 UNTIL A SUCCESSOR IS ELECTED AND QUALIFIED.

18 (2) IF A VACANCY IN THE OFFICE OF SCHOOL BOARD MEMBER OCCURS
19 AND THE TERM OF THAT OFFICE DOES NOT END FOLLOWING THE SCHOOL
20 DISTRICT'S NEXT REGULAR ELECTION, THE SCHOOL BOARD SHALL REQUEST
21 THAT THE SCHOOL DISTRICT ELECTION COORDINATOR SCHEDULE A SPECIAL
22 ELECTION AT THE SCHOOL DISTRICT'S NEXT REGULAR ELECTION FOR THE
23 OFFICE OF SCHOOL BOARD MEMBER IN WHICH THE VACANCY OCCURRED. THE
24 INDIVIDUAL WHO IS ELECTED TO THAT OFFICE AT THE REGULAR ELECTION
25 SERVES, UPON THE INDIVIDUAL'S QUALIFICATION FOR OFFICE, THE
26 REMAINDER OF THE FORMER MEMBER'S TERM. THIS SUBSECTION APPLIES

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1 REGARDLESS OF WHETHER AN INDIVIDUAL IS APPOINTED TO FILL THE
2 VACANCY UNDER SUBSECTION (1).

3 (3) DURING THE TIME A VACANCY EXISTS ON A SCHOOL BOARD, THE
4 REMAINING SCHOOL BOARD MEMBERS OF THE SCHOOL BOARD, IF CONSTITUT-
5 ING A QUORUM OF THE SCHOOL BOARD, HAVE ALL THE POWERS AND DUTIES
6 ESTABLISHED BY LAW FOR THAT SCHOOL BOARD.

7 (4) IF THE REMAINING MEMBERS OF A SCHOOL BOARD ARE LESS THAN
8 A QUORUM, THE REMAINING MEMBERS OR MEMBER SHALL REQUEST THAT THE
9 SCHOOL DISTRICT ELECTION COORDINATOR SCHEDULE A SPECIAL ELECTION
10 TO FILL THE VACANCIES. IF THIS REQUEST IS NOT MADE WITHIN 30
11 DAYS AFTER THE NUMBER OF SCHOOL BOARD MEMBERS BECOMES LESS THAN A
12 QUORUM OR IF NO SCHOOL BOARD MEMBERS REMAIN, THE SUPERINTENDENT
13 OF THE INTERMEDIATE SCHOOL DISTRICT OF WHICH THE SCHOOL DISTRICT
14 IS A CONSTITUENT SHALL REQUEST THE SPECIAL ELECTION. THE SCHOOL
15 DISTRICT ELECTION COORDINATOR SHALL SCHEDULE A SPECIAL ELECTION
16 REQUESTED UNDER THIS SECTION TO BE HELD ON THE NEXT STANDARD
17 ELECTION DAY NOT LESS THAN 60 DAYS AFTER RECEIPT OF THE REQUEST.
18 A SCHOOL BOARD MEMBER ELECTED AT A SPECIAL ELECTION SCHEDULED
19 UNDER THIS SECTION SHALL SERVE THE REMAINDER OF THE TERM TO WHICH
20 HE OR SHE IS ELECTED.

21 SEC. 312. BY FILING WITH THE SCHOOL DISTRICT ELECTION COOR-
22 DINATOR A RESOLUTION ADOPTED BY THE SCHOOL BOARD TO SUBMIT A
23 BALLOT QUESTION, THE SCHOOL BOARD MAY REQUEST THAT THE SCHOOL
24 DISTRICT ELECTION COORDINATOR SUBMIT THE BALLOT QUESTION TO THE
25 SCHOOL DISTRICT'S REGISTERED ELECTORS. UPON RECEIPT OF A REQUEST
26 UNDER THIS SECTION, A SCHOOL DISTRICT ELECTION COORDINATOR SHALL
27 SCHEDULE A SPECIAL ELECTION ON THE BALLOT QUESTION TO BE HELD ON

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1 THE NEXT STANDARD ELECTION DAY THAT IS NOT LESS THAN 60 DAYS
2 AFTER THE SCHOOL DISTRICT ELECTION COORDINATOR RECEIVES THE
3 REQUEST.

4 SEC. 315. (1) A SCHOOL DISTRICT SHALL PAY TO EACH COUNTY,
5 CITY, AND TOWNSHIP THAT CONDUCTS A REGULAR OR SPECIAL ELECTION
6 FOR THE SCHOOL DISTRICT AN AMOUNT DETERMINED IN ACCORDANCE WITH
7 THIS SECTION.

8 (2) IF A SCHOOL DISTRICT'S REGULAR OR SPECIAL ELECTION IS
9 HELD IN CONJUNCTION WITH ANOTHER ELECTION CONDUCTED BY A COUNTY,
10 CITY, OR TOWNSHIP, THE SCHOOL DISTRICT SHALL PAY THE COUNTY,
11 CITY, OR TOWNSHIP 100% OF THE ACTUAL ADDITIONAL COSTS ATTRIBUT-
12 ABLE TO CONDUCTING THE SCHOOL DISTRICT'S REGULAR OR SPECIAL
13 ELECTION. IF A SCHOOL DISTRICT'S REGULAR OR SPECIAL ELECTION IS
14 NOT HELD IN CONJUNCTION WITH ANOTHER ELECTION CONDUCTED BY A
15 COUNTY, CITY, OR TOWNSHIP, THE SCHOOL DISTRICT SHALL PAY THE
16 COUNTY, CITY, OR TOWNSHIP 100% OF THE ACTUAL COSTS OF CONDUCTING
17 THE SCHOOL DISTRICT'S REGULAR OR SPECIAL ELECTION.

18 (3) THE COUNTY, CITY, OR TOWNSHIP SHALL PRESENT TO A SCHOOL
19 DISTRICT A VERIFIED ACCOUNT OF ACTUAL COSTS OF CONDUCTING THE
20 SCHOOL DISTRICT'S REGULAR OR SPECIAL ELECTION NOT LATER THAN 84
21 DAYS AFTER THE DATE OF THE ELECTION. THE SCHOOL BOARD SHALL PAY
22 OR DISAPPROVE ALL OR A PORTION OF THE VERIFIED ACCOUNT WITHIN 84
23 DAYS AFTER THE SCHOOL DISTRICT RECEIVES A VERIFIED ACCOUNT OF
24 ACTUAL COSTS UNDER THIS SUBSECTION.

25 (4) IF THE SCHOOL BOARD DISAPPROVES ALL OR A PORTION OF A
26 VERIFIED ACCOUNT OF ACTUAL COSTS UNDER SUBSECTION (3), THE SCHOOL
27 BOARD SHALL SEND A NOTICE OF DISAPPROVAL ALONG WITH THE REASONS

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1 FOR THE DISAPPROVAL TO THE COUNTY, CITY, OR TOWNSHIP. UPON
2 REQUEST OF A COUNTY, CITY, OR TOWNSHIP WHOSE VERIFIED ACCOUNT OR
3 PORTION OF A VERIFIED ACCOUNT WAS DISAPPROVED UNDER THIS SECTION,
4 THE SCHOOL BOARD SHALL REVIEW THE DISAPPROVED COSTS WITH THE
5 COUNTY, CITY, OR TOWNSHIP.

6 (5) A SCHOOL BOARD, COUNTY, CITY, OR TOWNSHIP SHALL USE THE
7 AGREEMENT MADE BETWEEN THE DEPARTMENT OF TREASURY AND THE SECRE-
8 TARY OF STATE, AS REQUIRED BY SECTION 487, AS A BASIS FOR PREPAR-
9 ING AND EVALUATING VERIFIED ACCOUNTS UNDER THIS SECTION. THE
10 SECRETARY OF STATE SHALL ASSIST A SCHOOL BOARD, COUNTY, CITY, OR
11 TOWNSHIP IN PREPARING AND EVALUATING A VERIFIED ACCOUNT UNDER
12 THIS SECTION. IF A COUNTY, CITY, OR TOWNSHIP AND A SCHOOL BOARD
13 CANNOT AGREE ON THE ACTUAL COSTS OF AN ELECTION AS PRESCRIBED BY
14 THIS SECTION, THE SECRETARY OF STATE SHALL DETERMINE THOSE ACTUAL
15 COSTS.

16 Sec. 321. (1) Except as provided in subsection (3) and
17 ~~section~~ SECTIONS 327, 641, 642, AND 644G, the qualifications,
18 nomination, election, appointment, term of office, and removal
19 from office of ~~any~~ A city officer shall be in accordance with
20 the charter provisions governing the city.

21 (2) Within 3 days after the last day on which a candidate
22 for a city office may withdraw, the city clerk shall deliver to
23 the county clerk of the county in which the city is located a
24 list setting forth the name and address of each candidate for a
25 city office.

26 (3) If the membership of the legislative body of a city
27 governed by the home rule city act, ~~Act No. 279 of the Public~~

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1 ~~Acts of 1909, being sections 117.1 to 117.38 of the Michigan~~
2 ~~Compiled Laws~~ 1909 PA 279, MCL 117.1 TO 117.38, is reduced to
3 less than a quorum, unless another method of appointing members
4 of the legislative body is provided by the city charter, members
5 of the legislative body ~~shall be~~ ARE appointed as provided in
6 this subsection. The board of county election commissioners of
7 the county in which the largest portion of the population of the
8 city resides ~~as reported by the last decennial census~~ shall
9 appoint the number of members of the legislative body required to
10 constitute a quorum for the transaction of business by the legis-
11 lative body. A member of the legislative body appointed under
12 this subsection shall hold the office only until the member's
13 successor is elected and qualified. ~~Unless otherwise provided~~
14 ~~by charter, the successor shall be elected at the next regular~~
15 ~~election for a member of the legislative body or, if a regular~~
16 ~~election is not scheduled to be held within 90 days after the~~
17 ~~appointment is made under this subsection, the legislative body~~
18 ~~shall call a special election for the successor to be held within~~
19 ~~90 days after the appointment is made. In either case, the~~ THE
20 SUCCESSOR SHALL BE ELECTED AT A SPECIAL OR REGULAR ELECTION ON
21 THE NEXT STANDARD ELECTION DAY THAT IS NOT LESS THAN 60 DAYS
22 AFTER THE APPOINTMENT IS MADE. THE successor shall serve for the
23 balance of the unexpired term. A member who is appointed under
24 this subsection shall not vote on the appointment of himself or
25 herself to an elective or appointive city office.

26 (4) Notwithstanding ~~any other~~ ANOTHER provision of law or
27 charter to the contrary, an appointment to an elective or

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1 appointive city office made by a quorum constituted by
2 appointments under this ~~subsection shall expire~~ SECTION EXPIRES
3 upon the election and qualification of a sufficient number of
4 members of the legislative body so that the elected members con-
5 stitute a quorum.

6 Sec. 322. ~~To obtain the printing of~~ FOR the name of a
7 candidate of a political party for a city office, including a
8 ward office, TO APPEAR under the particular party heading on the
9 official primary election ballots for use in the city, ~~there~~ A
10 NOMINATING PETITION shall be filed with the city clerk ~~of the~~
11 ~~city~~ not later than 4 p.m. on the twelfth Tuesday ~~preceding~~
12 BEFORE the August primary, or not later than 4 p.m. on the
13 ~~seventh Monday preceding the primary election provided to be~~
14 ~~held on the third Monday in February, nominating petitions~~
15 TWELFTH TUESDAY BEFORE THE SEPTEMBER PRIMARY ELECTION FOR A CITY
16 THAT HOLDS A SEPTEMBER PRIMARY ELECTION. A NOMINATING PETITION
17 SHALL BE signed by a number of qualified and registered electors
18 of the political party who reside in the city or ward as deter-
19 mined under section 544f. This section does not apply to a city
20 ~~the~~ IF THE CITY charter ~~of which~~ provides for a different
21 method of nominating candidates for public office. The form of
22 the petition shall be as provided in section 544c.

23 Sec. 358a. The township board of a township may call a spe-
24 cial election to be held in the township for the purpose of sub-
25 mitting ~~any~~ A proposition or propositions to the electors of
26 the township. A special election shall ~~not~~ be held ~~within 30~~
27 ~~days before or after a regular township or state primary or~~

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1 ~~general election~~ ON A STANDARD ELECTION DAY. Notice of the
2 special election shall be given in the same manner ~~now~~ required
3 ~~of regular elections held under this act~~ BY SECTION 653A.

4 Sec. 370. (1) Except as provided in subsection (2), if a
5 vacancy occurs in an elective or appointive township office, the
6 vacancy shall be filled by appointment by the township board, and
7 the person appointed shall hold the office for the remainder of
8 the unexpired term.

9 (2) If 1 or more vacancies occur in an elective township
10 office that cause the number of members serving on the township
11 board to be less than the minimum number of board members that is
12 required to constitute a quorum for the transaction of business
13 by the board, the board of county election commissioners shall
14 make temporary appointment of the number of members required to
15 constitute a quorum for the transaction of business by the town-
16 ship board. An official appointed under this subsection shall
17 hold the office only until the official's successor is elected or
18 appointed and qualified. An official who is temporarily
19 appointed under this subsection shall not vote on the appointment
20 of himself or herself to an elective or appointive township
21 office.

22 (3) If a township official submits a written resignation
23 from an elective township office, for circumstances other than a
24 resignation related to a recall election, ~~which~~ THAT specifies
25 a date and time ~~at which~~ WHEN the resignation is effective, the
26 township board, within 30 days before that effective date and
27 time, may appoint a person to fill the vacancy at the effective

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1 date and time of the resignation. The resigning official shall
2 not vote on the appointment.

3 (4) Except as provided in subsection (5), if the township
4 board does not make an appointment under subsection (3), or if a
5 vacancy occurs in an elective township office and the vacancy is
6 not filled by the township board or the board of county election
7 commissioners within 45 days after the beginning of the vacancy,
8 the county clerk of the county in which the township is located
9 shall notify the governor of the fact. The governor shall call a
10 special election to fill the vacancy. The governor shall provide
11 for the date for the filing of the petitions, ~~which~~ AND THAT
12 date shall also be the last date to register for the special pri-
13 mary election. ~~Notwithstanding section 358a, the special pri-~~
14 ~~mary or special general election may be held within 60 days of a~~
15 ~~state primary or a state general election.~~ A special primary or
16 election called by the governor under authority of this section
17 ~~shall~~ DOES not affect the rights of a qualified elector to reg-
18 ister for any other election. A person elected to fill a vacancy
19 shall serve for the remainder of the unexpired term.

20 (5) Subsection (4) ~~shall~~ DOES not apply to the office of
21 township constable. If a vacancy occurs in the office of town-
22 ship constable, the township board shall determine if and when
23 the vacancy shall be filled BY APPOINTMENT. If the township
24 board does not fill the vacancy BY APPOINTMENT, the office of
25 township constable shall remain vacant until the next general or
26 special election in which ~~the~~ township offices are filled.

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1 Sec. 381. (1) Except as provided in subsection ~~-(3)-~~ (2)
2 and ~~section~~ SECTIONS 383, 641, 642, AND 644G, the
3 qualifications, nomination, election, appointment, term of
4 office, and removal from office of a village officer shall be
5 ~~pursuant to~~ AS DETERMINED BY the charter provisions governing
6 the village.

7 ~~-(2) Within 3 days after the last day on which a candidate~~
8 ~~for a village office may withdraw, the village clerk shall~~
9 ~~deliver to the county clerk of the county in which the village is~~
10 ~~located, a list setting forth the name and address of each candi-~~
11 ~~date for a village office.~~

12 (2) ~~-(3)-~~ If the membership of the village council of a vil-
13 lage governed by ~~Act No. 3 of the Public Acts of 1895, being~~
14 ~~sections 61.1 to 74.22 of the Michigan Compiled Laws~~ THE GENERAL
15 LAW VILLAGE ACT, 1895 PA 3, MCL 61.1 TO 74.25, is reduced to less
16 than a quorum of 4 and a special election for the purpose of
17 filling all vacancies in the office of trustee is called under
18 section 13 of ~~Act No. 3 of the Public Acts of 1895, being~~
19 ~~section 62.13 of the Michigan Compiled Laws~~ CHAPTER II OF THE
20 GENERAL LAW VILLAGE ACT, 1895 PA 3, MCL 62.13, temporary appoint-
21 ments of trustees shall be made as provided in this subsection.
22 The board of county election commissioners of the county in which
23 the largest portion of the population of the village is situated
24 ~~as reported by the last decennial census~~ shall make temporary
25 appointment of the number of trustees required to constitute a
26 quorum for the transaction of business by the village council. A
27 trustee appointed under this subsection shall hold the office

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1 only until the trustee's successor is elected and qualified. A
2 trustee who is temporarily appointed under this subsection shall
3 not vote on the appointment of himself or herself to an elective
4 or appointive village office.

5 (3) Notwithstanding ~~any other~~ ANOTHER provision of law or
6 charter to the contrary, an appointment to an elective or
7 appointive village office made by a quorum constituted by tempo-
8 rary appointments under this subsection ~~shall expire~~ EXPIRES
9 upon the election and qualification of trustees under the special
10 election called to fill the vacancies in the office of trustee.

11 Sec. 382. ~~If~~ EXCEPT AS OTHERWISE PROVIDED IN THIS ACT,
12 THE GENERAL LAW VILLAGE ACT, 1895 PA 3, MCL 61.1 TO 74.25, OR THE
13 HOME RULE VILLAGE ACT, 1909 PA 278, MCL 78.1 TO 78.28, IF the
14 charter of a village does not specify the time, manner, and means
15 of nominating and electing its public officers, the village shall
16 nominate and elect its officers in accordance with the provisions
17 governing the selection of ~~township~~ CITY officers, as provided
18 in chapter ~~16 of this act, except that nomination by caucus or~~
19 ~~primary shall occur on the third Monday in February and village~~
20 ~~elections shall be held on the second Monday in March biennially~~
21 ~~in even numbered years or annually as provided in section 5 of~~
22 ~~chapter 2 of Act No. 3 of the Public Acts of 1895, being section~~
23 ~~62.5 of the Michigan Compiled Laws~~ XV.

24 Sec. 473b. Signatures on a petition to propose an amendment
25 to the state constitution of 1963 or a petition to initiate leg-
26 islation collected ~~prior to a November~~ BEFORE A general

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1 election at which a governor is elected shall not be filed after
2 the date of that ~~November~~ general election.

3 Sec. 497. (1) A person who is not registered but possesses
4 the qualifications of an elector as set forth in section 492, may
5 apply for registration to the clerk of the county, township,
6 city, or village in which he or she resides on a day other than
7 Saturday, Sunday, a legal holiday, or the day of a regular, pri-
8 mary, school, or special election. Registrations accepted
9 between the thirtieth day preceding an election and the day of
10 the election, unless the thirtieth day falls on a Saturday,
11 Sunday, or legal holiday, in which event registration shall be
12 accepted during the following day, are not valid for the election
13 but are valid for subsequent regular, primary, school, or special
14 elections that are held so that not less than 30 days intervene
15 between the date the person registered and the date of the
16 election.

17 (2) Except as otherwise provided in sections ~~499a to 499c,~~
18 500a to 500j ~~—~~ and 504, an application for registration shall
19 not be executed at a place other than the office of the county,
20 township, city, or village clerk or a public place or places des-
21 ignated by the clerk or deputy registrar for receiving registra-
22 tions, but the clerk or deputy registrar may receive an applica-
23 tion wherever he or she may be. If a county, township, city, or
24 village clerk does not regularly keep his or her office open
25 daily during certain hours, the clerk shall not be required to be
26 at his or her office for the purpose of receiving applications
27 for registration on a particular day nor during specific hours of

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1 a day, except as provided in section 498. Registrations taken
2 after the time of closing registrations before an election need
3 not be processed until the date immediately following that
4 election. A registration shall not be placed in a precinct reg-
5 istration file until the date immediately following that
6 election. If a person registers at a time that registrations are
7 closed for an election, the person shall be given a notice,
8 signed by the clerk, on a form developed by the secretary of
9 state, informing him or her that he or she is not eligible to
10 vote in the election and indicating the first date on which he or
11 she is eligible to vote. Except as provided in sections 500a to
12 500j, the provisions of this section relating to registration
13 ~~shall~~ apply.

14 Sec. 498. (1) The governing body of a township, city, or
15 village may provide by resolution that in that township, city, or
16 village the clerk shall be at the clerk's office, or in some
17 other convenient place designated by the clerk, during the hours
18 designated by the governing body on the thirtieth day preceding
19 an election ~~or primary election~~ in the township, city, or vil-
20 lage, unless the thirtieth day falls on a Saturday, Sunday, or
21 legal holiday, in which event registration shall be accepted
22 during the same hours on the following day.

23 (2) In a township, city, or village in which the clerk does
24 not maintain regular daily office hours, the township board or
25 the legislative body of the city or village may require that the
26 clerk of the township, city, or village shall be at the clerk's
27 office or other designated place for the purpose of receiving

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1 applications for registration on the days ~~which~~ THAT the board
2 or legislative body designates, but not more than 5 days before
3 the last day for registration.

4 (3) The clerk of each township, city, and village shall give
5 public notice of the days and hours that the clerk will be at the
6 clerk's office or other designated place for the purpose of
7 receiving registrations before an election ~~or primary election~~
8 by publication of the notice, except as provided in subsection
9 (4) and section 497(2), at least twice in a newspaper published
10 or of general circulation in the township, city, or village and,
11 if considered advisable by the township, city, or village clerk,
12 by posting written or printed notices in at least 2 of the most
13 conspicuous places in each election precinct. Except as provided
14 in subsection (4), ~~and except for a notice of registration for a~~
15 ~~special election held pursuant to section 640,~~ the first publi-
16 cation or posting shall be made not less than 10 days before the
17 last day for receiving registrations. If the notice of registra-
18 tion is for a special election for purposes of voting upon a pro-
19 posal, ~~other than a special election held pursuant to section~~
20 ~~640,~~ the proposal as it will appear on the ballot shall be
21 stated in the notice.

22 (4) Notice of registration for a school millage election
23 that will be held ~~pursuant to~~ UNDER section 36 of the general
24 property tax act, ~~Act No. 206 of the Public Acts of 1893, as~~
25 ~~amended, being section 211.36 of the Michigan Compiled Laws,~~
26 ~~shall be~~ 1893 PA 206, MCL 211.36, IS required to be published

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1 only once and shall be made not less than 5 days before the last
2 day for receiving registrations as provided in section 497a.

3 (5) A county clerk may enter into an agreement with the
4 clerk of 1 or more townships or cities in the county or the
5 clerks of 1 or more cities or townships in a county may enter
6 into an agreement to jointly publish the notice required in sub-
7 section (3). The notice shall be published in a newspaper of
8 general circulation in the cities and townships listed in the
9 notice.

10 Sec. 509aa. (1) A clerk may use change of address informa-
11 tion supplied by the United States postal service or other reli-
12 able information received by the clerk that identifies registered
13 voters whose addresses may have changed as provided in this
14 section.

15 (2) Upon receipt of reliable information that a registered
16 voter has moved his or her residence within the city or township,
17 the clerk shall send by forwardable mail all of the following to
18 the voter:

19 (a) A notice that the clerk has received information indi-
20 cating that the voter has moved his or her residence within the
21 city or township.

22 (b) A postage prepaid and preaddressed return card on which
23 the voter may verify or correct the address information.

24 (c) A notice explaining that, if the address information is
25 correct and the voter has moved his or her residence within the
26 city or township, the voter should complete and return the card
27 to the clerk with a postmark of 30 days or more before the date

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1 of the next election. If the voter has moved his or her
2 residence within the city or township and does not complete and
3 return the card to the clerk with a postmark of 30 days or more
4 before the date of the next election, the voter will be required
5 to vote in his or her former precinct of residence in the city or
6 township. The voter will also be required to submit an address
7 correction before being permitted to vote.

8 (3) Upon the receipt of reliable information that a regis-
9 tered voter has moved his or her residence to another city or
10 township, the clerk shall send by forwardable mail all of the
11 following to the voter:

12 (a) A notice that the clerk has received information indi-
13 cating that the voter has moved his or her residence to another
14 city or township.

15 (b) A postage prepaid and preaddressed return card on which
16 the voter may verify or correct the address information.

17 (c) A notice containing all of the following information:

18 (i) If the address information is incorrect and the voter
19 has not moved his or her residence to another city or township
20 and wishes to remain registered to vote, the voter should com-
21 plete and return the card to the clerk with a postmark of 30 days
22 or more before the date of the next election. If the card is not
23 completed and returned with a postmark of 30 days or more before
24 the date of the next election, the voter may be required to
25 affirm his or her current address before being permitted to
26 vote. Further, if the voter does not vote in an election within
27 the period beginning on the date of the notice and ending on the

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1 first business day immediately following the second ~~November~~
2 general election that is held after the date on the notice, the
3 registration of the voter will be canceled and his or her name
4 will be removed from the registration record of that city or
5 township.

6 (ii) If the voter has moved his or her residence to another
7 city or township, information on how the voter can become regis-
8 tered to vote at the next election in his or her new city or
9 township.

10 (4) If a notice sent under this section is returned to the
11 clerk by the post office as undeliverable, the clerk shall iden-
12 tify the registration record of a voter as challenged as provided
13 in this act. The clerk shall instruct the board of election
14 inspectors to challenge that voter at the first election at which
15 the voter appears to vote. If in response to the challenge the
16 voter indicates that he or she resides at the registration
17 address or has changed addresses within the city or township, the
18 voter shall be permitted to vote a regular ballot rather than a
19 challenged ballot. The voter shall complete a change of address
20 form at the polling place, if applicable. If the person does not
21 appear to vote in an election within the period beginning on the
22 date of the notice and ending on the first business day immedi-
23 ately following the second ~~November~~ general election that is
24 held after the date of the notice, the clerk shall cancel the
25 registration of the voter and remove his or her name from the
26 registration record of the city or township.

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1 Sec. 509cc. (1) If a registration is challenged under this
2 act and the challenged voter does not respond in the manner
3 provided in this act, the registration record of that voter
4 remains challenged and election officials shall not allow the
5 challenged voter to vote until he or she answers the grounds of
6 the challenge in the manner provided in this act. If a registra-
7 tion is challenged under this act and an election official deter-
8 mines, based upon the response of the challenged voter, that the
9 voter is qualified to vote, the election official shall allow the
10 voter to vote and the clerk shall remove the identification as
11 challenged from the registration record of that voter.

12 (2) If a clerk does not independently determine that a chal-
13 lenged voter is qualified to vote or if the challenged voter does
14 not respond to the challenge or fails to prove in his or her
15 response to the challenge that he or she is qualified to vote
16 during the period beginning on the date of the notice of chal-
17 lenge under this act and ending on the first business day immedi-
18 ately following the second ~~November~~ general election that is
19 held after the date of the notice, the clerk shall cancel the
20 registration of the voter and remove his or her name from the
21 registration record of the city or township.

22 Sec. 538. Primary ELECTION notices shall be published and
23 posted ~~in the same manner as nearly as may be~~ as provided in
24 section ~~653 of this act for elections~~ 653A.

25 Sec. 598. (1) The state central committee of each political
26 party shall, at least 60 days before the August primary, forward
27 by mail to the chairperson of each county committee of the

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1 political party a copy of the call for the fall state convention
2 of the political party, showing the number of delegates to which
3 each county is entitled in the state convention of the political
4 party. The state central committee shall apportion the delegates
5 to the several counties in proportion to the number of votes cast
6 for the candidate of the party for secretary of state in each
7 county, respectively, at the last preceding ~~November~~ general
8 election.

9 (2) In addition to the number of delegates allocated to each
10 county under subsection (1), the state central committees shall
11 allocate an additional number of delegates equal to the number of
12 incumbent legislators nominated by their party and residing in
13 the county.

14 Sec. 635. ~~It shall be lawful to call a~~ A special election
15 for the submission of ~~any~~ A proposition ~~on any regular or spe-~~
16 ~~cial primary day~~ MAY BE HELD ON A STANDARD ELECTION DAY OR IN
17 CONJUNCTION WITH A SPECIAL ELECTION OR SPECIAL PRIMARY.

18 SEC. 642. (1) EXCEPT AS OTHERWISE PROVIDED BY THIS ACT OR
19 OTHER LAW OF THIS STATE, BEGINNING JANUARY 1, 2003, THIS SECTION
20 GOVERNS THE DAY OF THE YEAR ON WHICH A CITY OR VILLAGE SHALL HOLD
21 THAT JURISDICTION'S REGULAR ELECTION.

22 (2) IF, ON THE EFFECTIVE DATE OF THIS SECTION, A CITY OR
23 VILLAGE HOLDS ITS REGULAR ELECTION ON A DAY OTHER THAN THE
24 NOVEMBER ELECTION DAY, THE CITY OR VILLAGE COUNCIL MAY CHOOSE TO
25 HOLD ITS REGULAR ELECTION, BEGINNING IN 2003, ON THE MAY ELECTION
26 DAY. A GOVERNING BODY THAT CHOOSES TO HOLD ITS CITY'S OR
27 VILLAGE'S REGULAR ELECTION, BEGINNING IN 2003, ON THE MAY

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1 ELECTION DAY SHALL MAKE THAT CHOICE BY ADOPTING A RESOLUTION IN
2 COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION. THE GOVERNING
3 BODY SHALL FILE A RESOLUTION ADOPTED UNDER THIS SECTION WITH THE
4 SECRETARY OF STATE.

5 (3) IF, ON THE EFFECTIVE DATE OF THIS SECTION, A CITY HOLDS
6 THE PRIMARY FOR ITS REGULAR ELECTION AT A SEPTEMBER PRIMARY ELEC-
7 TION, THE CITY COUNCIL MAY CHOOSE TO CONTINUE HOLDING A SEPTEMBER
8 PRIMARY ELECTION BY ADOPTING A RESOLUTION IN COMPLIANCE WITH THE
9 REQUIREMENTS OF THIS SECTION. THE GOVERNING BODY SHALL FILE A
10 RESOLUTION ADOPTED UNDER THIS SECTION WITH THE SECRETARY OF
11 STATE. IF A GOVERNING BODY IS NOT AUTHORIZED TO OR DOES NOT
12 ADOPT A RESOLUTION THAT IS VALID UNDER THIS SECTION, BEGINNING IN
13 2003, THE GOVERNING BODY'S JURISDICTION SHALL HOLD THE PRIMARY
14 FOR ITS REGULAR ELECTION ON THE AUGUST ELECTION DAY.

15 (4) TO BE A VALID RESOLUTION FOR THE PURPOSE OF
16 SUBSECTION (2), (3), OR (6), A RESOLUTION MUST BE ADOPTED IN COM-
17 PLIANCE WITH ALL OF THE FOLLOWING:

18 (A) BEFORE JANUARY 1, 2003 OR AS PROVIDED IN SUBSECTION (6),
19 THE GOVERNING BODY CONDUCTS A PUBLIC HEARING ON THE ISSUE OF
20 WHETHER TO HOLD THE JURISDICTION'S REGULAR ELECTION ON THE MAY
21 ELECTION DAY OR ITS PRIMARY ELECTION AT A SEPTEMBER PRIMARY ELEC-
22 TION, AS APPLICABLE.

23 (B) THE NOTICE OF THE PUBLIC HEARING STATES SPECIFICALLY THE
24 FOLLOWING, AS APPLICABLE:

25 (i) THE HEARING IS BEING HELD ON THE ISSUE OF WHETHER TO
26 SCHEDULE THE JURISDICTION'S REGULAR ELECTION ON THE MAY ELECTION
27 DAY OR PRIMARY ELECTION AT A SEPTEMBER PRIMARY ELECTION.

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1 (ii) IF THE GOVERNING BODY DOES NOT ADOPT THE RESOLUTION
2 THAT IS THE SUBJECT OF THE HEARING, THE JURISDICTION'S REGULAR
3 ELECTION WILL BE HELD ON THE NOVEMBER ELECTION DAY OR ITS PRIMARY
4 ELECTION WILL BE HELD ON THE AUGUST ELECTION DAY.

5 (c) THE RESOLUTION IS ADOPTED ON A RECORD ROLL CALL VOTE BY
6 A MAJORITY OF THE GOVERNING BODY'S MEMBERS, ELECTED OR APPOINTED,
7 AND SERVING.

8 (5) IF A GOVERNING BODY ADOPTS A RESOLUTION THAT IS VALID
9 UNDER THIS SECTION TO HOLD ITS REGULAR ELECTION ON THE MAY ELEC-
10 TION DAY, BEGINNING IN 2003, THE GOVERNING BODY'S JURISDICTION
11 SHALL HOLD ITS REGULAR ELECTION ON THE MAY ELECTION DAY. IF A
12 PRIMARY MUST BE HELD FOR THE JURISDICTION'S REGULAR ELECTION, THE
13 PRIMARY ELECTION SHALL BE HELD ON THE FEBRUARY ELECTION DAY. IF
14 A GOVERNING BODY IS NOT AUTHORIZED TO OR DOES NOT ADOPT A RESOLU-
15 TION THAT IS VALID UNDER THIS SECTION, BEGINNING IN 2003, THE
16 GOVERNING BODY'S JURISDICTION SHALL HOLD ITS REGULAR ELECTION ON
17 THE NOVEMBER ELECTION DAY. IF A PRIMARY MUST BE HELD FOR THE
18 JURISDICTION'S REGULAR ELECTION, EXCEPT AS PROVIDED IN
19 SUBSECTION (3), THE PRIMARY ELECTION SHALL BE HELD ON THE AUGUST
20 ELECTION DAY.

21 (6) AFTER JANUARY 1, 2003, THE GOVERNING BODY OF A JURISDIC-
22 TION THAT HOLDS ITS REGULAR ELECTION ON THE MAY ELECTION DAY OR
23 THE PRIMARY FOR ITS REGULAR ELECTION AT A SEPTEMBER PRIMARY ELEC-
24 TION MAY CHANGE ITS REGULAR ELECTION TO THE NOVEMBER ELECTION DAY
25 OR THE PRIMARY FOR ITS REGULAR ELECTION TO THE AUGUST ELECTION
26 DAY BY ADOPTING A RESOLUTION TO THAT EFFECT IN COMPLIANCE WITH
27 THE REQUIREMENTS OF THIS SECTION. TO ADOPT A VALID RESOLUTION

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1 UNDER THIS SUBSECTION, THE GOVERNING BODY MUST CONDUCT THE PUBLIC
2 HEARING REQUIRED BY SUBSECTION (4)(A), ALONG WITH THE OTHER
3 REQUIREMENTS OF SUBSECTION (4), BEFORE JANUARY 1 OF THE YEAR IN
4 WHICH THE RESOLUTION EFFECTUATES THE ELECTION RESCHEDULING.

5 (7) A RESOLUTION ADOPTED IN COMPLIANCE WITH THE REQUIREMENTS
6 OF THIS SECTION IS EFFECTIVE FOR THE PURPOSE FOR WHICH IT IS
7 ADOPTED UNDER THIS SECTION REGARDLESS OF A CITY OR VILLAGE
8 CHARTER PROVISION OR ORDINANCE TO THE CONTRARY.

9 (8) REGARDLESS OF THE DAY ON WHICH A CITY HOLDS ITS REGULAR
10 ELECTION AND PRIMARY ELECTION, THE CITY OR HOME RULE VILLAGE
11 SHALL HOLD THOSE ELECTIONS IN EACH EVEN YEAR OR ODD YEAR, OR
12 BOTH, AS PROVIDED BY ITS CHARTER. REGARDLESS OF THE DAY ON WHICH
13 A HOME RULE VILLAGE OR GENERAL LAW VILLAGE HOLDS ITS REGULAR
14 ELECTION, THE HOME RULE VILLAGE OR GENERAL LAW VILLAGE SHALL HOLD
15 THOSE ELECTIONS IN EACH EVEN YEAR OR ODD YEAR, OR BOTH, AS PRO-
16 VIDED BY ITS CHARTER OR ORDINANCES.

17 SEC. 642A. (1) EXCEPT AS OTHERWISE PROVIDED BY THIS ACT OR
18 OTHER LAW OF THIS STATE, BEGINNING JANUARY 1, 2005, THIS SECTION
19 GOVERNS THE DAY OF THE YEAR ON WHICH A SCHOOL DISTRICT SHALL HOLD
20 THE SCHOOL DISTRICT'S REGULAR ELECTION.

21 (2) IF, ON THE EFFECTIVE DATE OF THIS SECTION, A SCHOOL DIS-
22 TRICT HOLDS ITS REGULAR ELECTION ON A DAY OTHER THAN THE ODD YEAR
23 NOVEMBER ELECTION DAY, THE SCHOOL DISTRICT BOARD MAY CHOOSE TO
24 HOLD ITS REGULAR ELECTION, BEGINNING IN 2005, ON 1 OF THE FOLLOW-
25 ING STANDARD ELECTION DAYS:

26 (A) THE ODD YEAR MAY ELECTION DAY.

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1 (B) THE NOVEMBER ELECTION DAY IN BOTH ODD AND EVEN YEARS.

2 (C) THE MAY ELECTION DAY IN BOTH ODD AND EVEN YEARS.

3 (3) A SCHOOL BOARD THAT CHOOSES TO HOLD THE SCHOOL
4 DISTRICT'S REGULAR ELECTION BEGINNING IN 2005 ON OTHER THAN THE
5 ODD YEAR NOVEMBER ELECTION DAY SHALL MAKE THAT CHOICE BY ADOPTING
6 A RESOLUTION IN COMPLIANCE WITH THE REQUIREMENTS OF THIS
7 SECTION. THE SCHOOL BOARD SHALL FILE A RESOLUTION ADOPTED UNDER
8 THIS SECTION WITH THE SECRETARY OF STATE.

9 (4) TO BE A VALID RESOLUTION FOR THE PURPOSE OF SUBSECTION
10 (3) OR (6), A RESOLUTION MUST BE ADOPTED IN COMPLIANCE WITH ALL
11 OF THE FOLLOWING:

12 (A) BEFORE JANUARY 1, 2005 OR AS PROVIDED IN SUBSECTION (6),
13 THE SCHOOL BOARD CONDUCTS A PUBLIC HEARING ON THE ISSUE OF
14 WHETHER TO HOLD THE SCHOOL DISTRICT'S REGULAR ELECTION ON OTHER
15 THAN THE ODD YEAR NOVEMBER ELECTION DAY.

16 (B) THE SCHOOL BOARD GIVES NOTICE OF THE PUBLIC HEARING IN A
17 MANNER DESIGNED TO REACH THE LARGEST NUMBER OF THE SCHOOL
18 DISTRICT'S QUALIFIED ELECTORS IN A TIMELY FASHION.

19 (C) THE NOTICE OF THE PUBLIC HEARING STATES THAT THE HEARING
20 IS BEING HELD ON THE ISSUE OF WHETHER TO SCHEDULE THE SCHOOL
21 DISTRICT'S REGULAR ELECTION ON OTHER THAN THE ODD YEAR NOVEMBER
22 ELECTION DAY. THE NOTICE MUST STATE SPECIFICALLY THE STANDARD
23 ELECTION DAY, AS LIMITED BY SUBSECTION (2), ON WHICH THE SCHOOL
24 BOARD PROPOSES TO HOLD THE SCHOOL DISTRICT'S REGULAR ELECTION.

25 (D) THE SCHOOL BOARD VOTES ON THE RESOLUTION IMMEDIATELY
26 FOLLOWING THE CLOSE OF THE PUBLIC HEARING ON THAT ISSUE.

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1 (E) THE RESOLUTION IS ADOPTED ON A RECORD ROLL CALL VOTE BY
2 A MAJORITY OF THE SCHOOL BOARD'S MEMBERS, ELECTED OR APPOINTED,
3 AND SERVING.

4 (5) IF A SCHOOL BOARD ADOPTS A RESOLUTION THAT IS VALID
5 UNDER THIS SECTION, BEGINNING IN 2005, THE SCHOOL BOARD'S SCHOOL
6 DISTRICT SHALL HOLD ITS REGULAR ELECTION ON THE STANDARD ELECTION
7 DAY ADOPTED IN THE RESOLUTION. IF A SCHOOL BOARD IS NOT AUTHO-
8 RIZED TO OR DOES NOT ADOPT A RESOLUTION THAT IS VALID UNDER THIS
9 SECTION, BEGINNING IN 2005, THE SCHOOL BOARD'S JURISDICTION SHALL
10 HOLD ITS REGULAR ELECTION ON THE ODD YEAR NOVEMBER ELECTION DAY.

11 (6) AFTER JANUARY 1, 2005, THE SCHOOL BOARD OF A JURISDIC-
12 TION THAT HOLDS ITS REGULAR ELECTION ON OTHER THAN THE ODD YEAR
13 NOVEMBER ELECTION DAY MAY CHANGE ITS REGULAR ELECTION TO THE ODD
14 YEAR NOVEMBER ELECTION DAY BY ADOPTING A RESOLUTION TO THAT
15 EFFECT IN COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION. TO
16 ADOPT A VALID RESOLUTION UNDER THIS SUBSECTION, THE SCHOOL BOARD
17 MUST CONDUCT THE PUBLIC HEARING REQUIRED BY SUBSECTION (4)(A),
18 ALONG WITH THE OTHER REQUIREMENTS OF SUBSECTION (4), BEFORE
19 JANUARY 1 OF THE YEAR IN WHICH THE RESOLUTION EFFECTUATES THE
20 ELECTION RESCHEDULING.

21 (7) A RESOLUTION ADOPTED IN COMPLIANCE WITH THE REQUIREMENTS
22 OF THIS SECTION IS EFFECTIVE FOR THE PURPOSE FOR WHICH IT IS
23 ADOPTED UNDER THIS SECTION REGARDLESS OF A SCHOOL DISTRICT'S
24 BYLAW TO THE CONTRARY.

25 Sec. 643. At the general ~~November elections~~ ELECTION, the
26 following officers shall be elected when required by law:

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1 (a) Presidential electors.

2 (b) In the state at large, a governor and a lieutenant
3 governor, a secretary of state, and an attorney general.

4 (c) A United States senator.

5 (d) In each congressional district, a representative in
6 congress.

7 (e) In each state senatorial district, a state senator.

8 (f) In each state representative district, a representative
9 in the state legislature.

10 (g) Justices of the supreme court.

11 (h) Two members of the state board of education. ~~—, except~~
12 ~~as provided in section 282a.—~~

13 (i) Two regents of the University of Michigan.

14 (j) Two trustees of Michigan State University.

15 (k) Two governors of Wayne State University.

16 (l) In each county or district, judges of the court of
17 appeals, a judge or judges of the circuit court, a judge or
18 judges of probate, a judge or judges of the district court, a
19 prosecuting attorney, a sheriff, a treasurer, an auditor, a mine
20 inspector, a county road commissioner, a drain commissioner, a
21 surveyor, and, subject to section 200, a clerk and a register of
22 deeds or a clerk register.

23 (m) Township officers.

24 (n) Any other officers required by law to be elected AT THAT
25 ELECTION.

26 Sec. 644e. ~~All officers~~ EXCEPT AS PROVIDED IN SECTION
27 642, AN OFFICER required to be elected at the odd year general

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1 election shall be nominated at the odd year primary ~~elections~~
2 ~~except where a city charter provides otherwise for city~~
3 ~~officers. Where a city~~ ELECTION. SUBJECT TO SECTION 382, IF A
4 charter provides for nomination by caucus or by filing a petition
5 or affidavit directly for the general election, or provides for
6 the election at the primary of a candidate who receives more than
7 50% of the votes cast for that office, the governing body by
8 ordinance may provide for a caucus date, filing date, or other
9 provisions to the extent necessary to be consistent with the odd
10 year GENERAL election requirement of this act and the intent of
11 the charter provisions.

12 Sec. 644g. (1) A term of office shall not be shortened by
13 the provisions of sections ~~644a~~ 641 to ~~644f~~ 644I. An officer
14 scheduled by prior law to be elected at a time other than ~~in~~
15 ~~November of an odd numbered year~~ THE ODD YEAR GENERAL ELECTION
16 shall not be elected on the date scheduled but shall continue in
17 office until a successor takes office ~~pursuant to~~ AFTER BEING
18 ELECTED IN the first odd year general election following that
19 date. IF THE STANDARD ELECTION DAY FOR HOLDING A JURISDICTION'S
20 REGULAR ELECTION IS CHANGED UNDER SECTION 642 OR 642A, THE TERM
21 OF AN OFFICIAL WHO WAS ELECTED BEFORE THE EFFECTIVE DATE OF THE
22 CHANGE CONTINUES UNTIL A SUCCESSOR IS ELECTED AND QUALIFIED AT
23 THE NEXT REGULAR ELECTION FOLLOWING THE DATE THE OFFICIAL'S TERM
24 WOULD HAVE ENDED, BUT FOR THE CHANGE OF THE DAY OF THE
25 JURISDICTION'S REGULAR ELECTION.

26 (2) Notwithstanding ~~any~~ A law OR CHARTER PROVISION to the
27 contrary, ~~any~~ AN officer required to be elected at the odd year

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1 general election, who by law OR CHARTER is elected for a term of
2 an odd number of years shall, AFTER THE EFFECTIVE DATE OF THE
3 AMENDATORY ACT THAT ADDED SECTION 642, be elected ~~hereafter~~ for
4 a term of 1 year longer than provided by law OR CHARTER.

5 (3) In home rule cities where the charter provides for the
6 election of city officers at a time other than ~~in November of~~
7 ~~odd numbered years~~ AT THE ODD YEAR GENERAL ELECTION and provides
8 that members of the governing body are not all to be elected in
9 the same year, the governing body by ordinance adopted prior to
10 April 1, 1971 ~~,~~ may alter the length of terms now provided by
11 charter to provide that the city may continue to elect part of
12 the governing body at each election. A term shall not be
13 extended beyond January 1 following the first odd ~~numbered~~ year
14 GENERAL election at which the officer would be elected ~~pursuant~~
15 ~~to~~ AS PROVIDED BY charter. A term shall not be for more than 4
16 years.

17 Sec. 646a. (1) If a local officer is to be elected at a
18 general November election, ~~or on the first Monday of April in an~~
19 ~~odd numbered year,~~ candidates for the local office shall be nom-
20 inated in the manner provided by law or charter, SUBJECT TO SEC-
21 TIONS 641 AND 642. ~~If the candidates are to be nominated at a~~
22 ~~fall primary election, the primary shall be held on the same day~~
23 ~~as is provided by law for holding the county or state primary~~
24 ~~election prior to such election, except as provided in section~~
25 ~~646b. If the candidates are to be elected in April, the primary~~
26 ~~shall be held on the third Monday in February. If candidates for~~
27 the local office are to be nominated at caucuses, the caucuses

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1 shall be held on a date ~~prior to~~ BEFORE the date set for the
2 ~~above mentioned~~ primary election or on the Saturday ~~preceding~~
3 BEFORE the day of the primary election, as determined by the
4 local legislative body at least 20 days ~~preceding~~ BEFORE the
5 date of the caucus. If candidates are nominated by filing peti-
6 tions or affidavits, they shall be filed at a time provided by
7 charter but not later than the date of the primary. ~~If a~~
8 EXCEPT AS PROVIDED IN SECTION 642, THE local primary election ~~is~~
9 ~~to~~ SHALL be held on the same day as ~~any~~ A state or county pri-
10 mary election. ~~—~~ IF A STATE OR COUNTY PRIMARY ELECTION IS HELD,
11 the last day for local candidates to file nominating petitions
12 ~~shall be~~ IS the same as the last date to file petitions for
13 state and county offices. The names of all local candidates and
14 titles of office shall be certified to the county clerk by the
15 local clerk within 5 days after the last day for filing peti-
16 tions, and certification of nominees shall be made to ~~such~~ THE
17 COUNTY clerk within 5 days after the date on which the primary or
18 caucus was held.

19 (2) If ~~any~~ A local or county ~~questions are~~ BALLOT QUES-
20 TION IS to be voted on at ~~any~~ A primary, special, REGULAR, or
21 general election at which state officers are to be voted for, the
22 ballot wording of the BALLOT question shall be certified to the
23 local or county clerk at least 70 days ~~prior to such~~ BEFORE THE
24 election. If the wording is certified to a clerk other than the
25 county clerk, the clerk shall certify the ballot wording to the
26 county clerk at least 68 days ~~prior to~~ BEFORE the election.
27 Petitions to place ~~any~~ A county or local ~~questions~~ BALLOT

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1 QUESTION on the ballot at the election shall be filed with the
2 clerk at least 14 days before the date the ballot wording must be
3 certified to the local clerk.

4 (3) The provisions of this section apply notwithstanding any
5 provisions of law or charter to the contrary, unless an earlier
6 date for the filing of affidavits or petitions, including nomi-
7 nating petitions, is provided in ~~any~~ ANOTHER law or charter, in
8 which case the earlier filing date is controlling.

SEC. 659. (1) IF A COUNTY, CITY, WARD, TOWNSHIP, OR VILLAGE IS
DIVIDED INTO 2 OR MORE ELECTION PRECINCTS, THE COUNTY, CITY, WARD,
TOWNSHIP, OR VILLAGE ELECTION COMMISSIONERS MAY, BY RESOLUTION,
CONSOLIDATE THE ELECTION PRECINCTS FOR A PARTICULAR ELECTION THAT IS NOT
A GENERAL NOVEMBER ELECTION, A PRIMARY ELECTION IMMEDIATELY BEFORE A
GENERAL NOVEMBER ELECTION, OR OTHER STATEWIDE OR FEDERAL ELECTION. IN
MAKING THE DETERMINATION TO CONSOLIDATE ELECTION PRECINCTS FOR A
PARTICULAR ELECTION, THE ELECTION COMMISSION SHALL TAKE INTO
CONSIDERATION THE NUMBER OF CHOICES THE VOTER MUST MAKE, THE PERCENTAGE
OF REGISTERED VOTERS WHO VOTED AT THE LAST SIMILAR ELECTION IN THE
JURISDICTION, AND THE INTENSITY OF THE INTEREST OF THE ELECTORS IN THE
JURISDICTION CONCERNING THE CANDIDATES AND PROPOSALS TO BE VOTED UPON.

(2) A CONSOLIDATION UNDER THIS SECTION SHALL BE MADE NOT LESS THAN
60 DAYS BEFORE A PRIMARY, GENERAL, OR SPECIAL ELECTION.

(3) UNLESS THE POLLING PLACES FOR THE ELECTION PRECINCTS TO BE
CONSOLIDATED ARE LOCATED IN THE SAME BUILDING, WHEN A COUNTY, CITY, WARD,
TOWNSHIP, OR VILLAGE CONSOLIDATES ELECTION PRECINCTS FOR A PARTICULAR
ELECTION UNDER SUBSECTION (1), THE ELECTION COMMISSIONERS OR OTHER
DESIGNATED ELECTION OFFICIALS SHALL DO BOTH OF THE FOLLOWING:

(A) PROVIDE NOTICE TO THE REGISTERED ELECTORS OF THE AFFECTED
ELECTION PRECINCTS OF THE CONSOLIDATION OF ELECTION PRECINCTS FOR THE
PARTICULAR ELECTION AND THE LOCATION OF THE POLLING PLACE FOR THE
ELECTION PRECINCT OR PRECINCTS FOR THAT ELECTION. NOTICE MAY BE PROVIDED
BY MAIL OR OTHER METHOD DESIGNED TO PROVIDE ACTUAL NOTICE TO THE
REGISTERED ELECTORS.

(B) POST A WRITTEN NOTICE AT EACH ELECTION PRECINCT POLLING PLACE
STATING THE LOCATION OF THE CONSOLIDATED ELECTION PRECINCT POLLING PLACE.

(4) IF A COUNTY, CITY, WARD, TOWNSHIP, OR VILLAGE CONSOLIDATES
ELECTION PRECINCTS UNDER THIS SECTION, EACH AFFECTED ELECTION PRECINCT
SHALL BE TREATED AS A WHOLE UNIT AND SHALL NOT BE DIVIDED DURING THE
CONSOLIDATION.

9 Sec. 821. (1) The board of county canvassers shall meet at the
10 office of the county clerk at 1 p.m. on the day succeeding the
11 day of ~~any November~~ A general ELECTION, August primary, or
12 presidential primary election in the county. ~~For~~ EXCEPT AS PROVIDED IN
13 SUBSECTION (2), FOR other elections
the board shall meet within 5 days following the election.

(2) IF, AT AN ELECTION HELD ON THE MAY ELECTION DAY, A PROPOSITION
APPEARS ON THE BALLOT CONCERNING AUTHORIZED MILLAGE THAT IS SUBJECT TO A
MILLAGE REDUCTION AS PROVIDED IN SECTION 34D OF THE GENERAL PROPERTY TAX

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ACT. 1893 PA 206. MCL 211.34D. THE BOARD OF COUNTY CANVASSERS SHALL MEET TO CANVASS AND CERTIFY THE RESULTS OF THE VOTE ON THAT PROPOSITION AFTER MAY 31 AND BEFORE JUNE 15 FOLLOWING THE ELECTION.

14 Sec. 963. (1) Within 35 days after the filing of the recall
15 petition, the filing official with whom the recall petition is
16 filed shall make an official declaration of the sufficiency or
17 insufficiency of the petition. If the recall petition is deter-
18 mined to be insufficient, the filing official shall notify the
19 person or organization sponsoring the recall of the insufficiency
20 of the petition. It is not necessary to give notification unless
21 the person or organization sponsoring the recall files with the
22 filing official a written notice of sponsorship and a mailing
23 address.

24 (2) Immediately upon determining that the petition is suffi-
25 cient, but not later than 35 days after the date of filing of the
26 petition, the county clerk with whom the petition is filed shall
27 ~~submit to the county election scheduling committee a proposed~~

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1 SCHEDULE A date for a special election to be held, ~~within 60~~
2 ~~days after the submission to the county scheduling committee~~
3 SUBJECT TO SECTION 641, to determine whether the electors will
4 recall the officer whose recall is sought.

5 (3) If a petition is filed under section 959, the ~~officer~~
6 FILING OFFICIAL with whom the petition is filed shall ~~not submit~~
7 ~~a proposed date to the county election scheduling committee but~~
8 ~~shall~~ call the special election subject to ~~the time limitations~~
9 ~~set out in this~~ section 641.

10 Sec. 971. ~~(1)~~ If the recall ~~was~~ IS successful, ~~the~~
11 ~~officer with whom the recall petition was filed shall, within 5~~
12 ~~days after receiving the certification, submit to the county~~
13 ~~election scheduling committee a proposed date for a special elec-~~
14 ~~tion to be held within 60 days for the filling of the vacancy.~~
15 ~~If any primary or election is to be held in that electoral dis-~~
16 ~~trict within 4 months after the certification and at a time as~~
17 ~~will permit preparation for the election by election officials as~~
18 ~~provided by law, the election to fill the vacancy shall be held~~
19 ~~concurrently with that primary or election.~~ A SPECIAL ELECTION
20 TO FILL THE VACANCY SHALL BE HELD ON THE NEXT STANDARD ELECTION
21 DAY THAT IS NOT LESS THAN 50 DAYS AFTER THE RECALL ELECTION. The
22 ~~same~~ provisions ~~made~~ in section 964 for calling and conduct-
23 ing of the recall election ~~shall~~ govern ~~in~~ the calling and
24 conducting of the election to fill the vacancy created, except as
25 otherwise provided in this section.

26 ~~(2)~~ If a petition is filed under section 959, the officer
27 ~~with whom the petition is filed shall not submit a proposed date~~

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1 ~~to the county election scheduling committee but shall call the~~
2 ~~special election subject to the same time limitations set out in~~
3 ~~this section.~~

4 Enacting section 1. Sections 5, 6, 8, 9a, 12, 325, 348,
5 639, 640, 644a, 644b, 644c, 644j to 646, and 646b of the Michigan
6 election law, 1954 PA 116, MCL 168.5, 168.6, 168.8, 168.9a,
7 168.12, 168.325, 168.348, 168.639, 168.640, 168.644a, 168.644b,
8 168.644c, 168.644j to 168.646, and 168.646b, are repealed.

9 Enacting section 2. Sections 642 and 642a of the Michigan
10 election law, 1954 PA 116, as added by this amendatory act, take
11 effect immediately on the effective date of this act.

12 Enacting section 3. Sections 2, 3, 4, 321, 322, 358a, 370,
13 381, 382, 473b, 497, 498, 509aa, 509cc, 538, 598, 635, 643, 644e,
14 644g, 646a, 821, 963, and 971 of the Michigan election law, 1954
15 PA 116, MCL 168.2, 168.3, 168.4, 168.321, 168.322, 168.358a,
16 168.370, 168.381, 168.382, 168.473b, 168.497, 168.498, 168.509aa,
17 168.509cc, 168.538, 168.598, 168.635, 168.643, 168.644e,
18 168.644g, 168.646a, 168.821, 168.963, and 168.971, as amended by
19 this amendatory act, take effect January 1, 2003.

20 Enacting section 4. Chapter XIV of the Michigan election
21 law, 1954 PA 116, as added by this amendatory act, takes effect
22 January 1, 2005.

23 Enacting section 5. This amendatory act does not take
24 effect unless all of the following bills of the 91st Legislature
25 are enacted into law:

26 (a) Senate Bill No. 438.

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- 1 (b) Senate Bill No. 439.
- 2 (c) Senate Bill No. 441.
- 3 (d) Senate Bill No. 442.
- 4 (e) Senate Bill No. 443.
- 5 (f) Senate Bill No. 444.
- 6 (g) Senate Bill No. 760.