

SENATE BILL No. 760

October 18, 2001, Introduced by Senators BENNETT, HAMMERSTROM, STEIL and MC MANUS and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 30a, 500f, 500g, 501a, 505, 509n, 509r,
509gg, 544c, 644k, 690, 862, 863, 954, and 972 (MCL 168.30a,
168.500f, 168.500g, 168.501a, 168.505, 168.509n, 168.509r,
168.509gg, 168.544c, 168.644k, 168.690, 168.862, 168.863,
168.954, and 168.972), section 501a as amended by 1995 PA 87,
section 509n as amended by 1999 PA 216, sections 509r and 509gg
as added by 1994 PA 441, section 544c as amended by 1999 PA 219,
and section 972 as amended by 1989 PA 26; and to repeal acts and
parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 30a. (1) A 4-member board of canvassers is established
2 in every city and township having more than 5 precincts,
3 notwithstanding ~~any~~ A statutory or charter provision, or ~~any~~

1 other rule or law to the contrary. All of the powers granted to
 2 and duties required by law to be performed by city and township
 3 boards of canvassers are granted to and required to be performed
 4 by the boards of city and township canvassers in cities and town-
 5 ships having more than 5 precincts. ~~School district elections~~
 6 ~~in cities of over 5 precincts which are held in conjunction with~~
 7 ~~the city elections shall be canvassed by the city board of~~
 8 ~~canvassers.~~ Members of the board OF CANVASSERS shall be
 9 appointed for terms of 4 years beginning THE January 1 ~~next~~
 10 ~~following~~ AFTER their appointment. ~~Of the members first~~
 11 ~~appointed, 1 member of each of the political parties represented~~
 12 ~~on the canvassing board shall be appointed for a term ending~~
 13 ~~December 31, 1967, and 1 for a term ending December 31, 1965.~~
 14 Members of the board OF CANVASSERS shall be notified of their
 15 appointment within 5 days ~~thereafter~~ AFTER APPOINTMENT by their
 16 city or township clerk.

17 (2) The city council or the township board of ~~any~~ A city
 18 or township having more than 5 precincts may contract with the
 19 board of ~~supervisors~~ COMMISSIONERS of the county in which all
 20 or the greater portion of the city or township's population
 21 resides to provide that the board of county canvassers of that
 22 county shall perform all the functions of the board of city or
 23 township canvassers. Financial arrangements of ~~such~~ a contract
 24 WITH THE BOARD OF COMMISSIONERS may provide that the city or
 25 township shall bear all or part of THE cost of ~~such~~ THE work OF
 26 THE COUNTY BOARD OF CANVASSERS.

1 Sec. 500f. The clerk of a township shall transmit to the
2 village clerk of a village ~~, the whole or part of which~~ THAT
3 lies PARTLY OR COMPLETELY in the township ~~,~~ THE information
4 necessary to complete the village registration of a person regis-
5 tered under sections 500a to 500j. ~~The clerk of a city or town-~~
6 ~~ship shall transmit to the secretary of a school district, where~~
7 ~~applicable, the information on the application of a person resid-~~
8 ~~ing within the school district and registered under sections 500a~~
9 ~~to 500j.~~

10 Sec. 500g. A registration card prepared under sections 500a
11 to 500j shall be sworn to and signed by the voter at the first
12 election during which the voter appears at the polls, or may be
13 signed in the ~~office of the secretary of the school district or~~
14 ~~in the~~ clerk's office. The application shall be retained by the
15 city or township clerk for signature purposes until the registra-
16 tion card is signed, except that the application shall be sent to
17 the appropriate precinct for each election until the registration
18 card is signed. The secretary of state may provide an applica-
19 tion form ~~which~~ THAT allows a completed ~~affidavit~~ SWORN
20 STATEMENT to be attached to a registration card prepared by a
21 local clerk. The registrant shall not be required to sign a reg-
22 istration card if the completed ~~affidavit~~ SWORN STATEMENT is
23 attached.

24 Sec. 501a. The BOARD OF election ~~commission~~ COMMISSIONERS
25 of a city, village, or township may authorize the clerk of the
26 city, village, or township to create a registration list. The
27 registration list shall be alphabetically arranged and shall

1 contain the name of each registered elector in a precinct. The
2 name shall be followed by the address and date of birth of the
3 elector. The BOARD OF election ~~commission~~ COMMISSIONERS may
4 also provide that the registration list may be used instead of
5 the precinct registration file when this act provides for the use
6 of a precinct registration file. ~~A school district or an inter-~~
7 ~~mediate school district may also use a registration list instead~~
8 ~~of the precinct registration file when a precinct registration~~
9 ~~file is required.~~ A city, village, or township shall maintain a
10 file containing the signature of each elector registered in the
11 city, village, or township.

12 Sec. 505. (1) At the time an elector is applying for regis-
13 tration, the registration officer shall ascertain if the elector
14 is already registered as a voter. If the elector is previously
15 registered, the elector shall at the time of applying for regis-
16 tration sign an authorization to cancel ~~any~~ A previous
17 registration. The secretary of state shall prescribe forms for
18 this purpose. The form may be a part of the application or a
19 separate form. The clerk of the city or township in which the
20 elector is newly registered shall notify the registration officer
21 of the place of previous registration of the authorization to
22 cancel.

23 (2) An authorization to cancel ~~which~~ THAT indicates a pre-
24 vious address in a state other than this state shall be forwarded
25 to the secretary of state of that state. Notice may be made by
26 forwarding the separate cancellation form, by forwarding the
27 portion of an application listing a previous place of

1 registration, or by forwarding a list certified by the clerk
2 containing the names of people authorizing cancellation.

3 (3) Notices of cancellation shall contain the name, birth
4 date, and address at which the elector was previously registered,
5 and the name of the city or township of previous registration of
6 all persons authorizing cancellations. Notices shall be sent
7 within 30 days after receipt, but not later than 5 days after the
8 close of registration.

9 (4) Upon receipt of the notice, the clerk shall cancel the
10 registration of the persons listed on the notice. The clerk
11 RECEIVING THE NOTICE shall also notify the ~~registration officer~~
12 CLERK of each village ~~and school district~~ in which ~~the~~ A
13 person LISTED ON THE NOTICE resides of receipt of an authoriza-
14 tion to cancel. An authorization to cancel a voter registration
15 signed by the voter and received from another state or a notice
16 from an election official of another state that an elector has
17 registered in that state ~~shall have~~ HAS the same force and
18 effect as the notice of authorization to cancel of this state.

19 Sec. 509n. The secretary of state is responsible for the
20 coordination of the requirements imposed under this chapter and
21 the national voter registration act of 1993. The secretary of
22 state shall do all of the following:

23 (a) Develop a mail registration form and make the form
24 available for distribution through governmental and private enti-
25 ties, with special emphasis on making the form available to voter
26 registration programs established for the purpose of registering
27 citizens of this state to vote.

1 (b) Instruct designated voter registration agencies ~~AND~~
2 county, city, township, and village clerks ~~and school offi-~~
3 ~~cials regarding~~ ABOUT the voter registration procedures and
4 requirements imposed by law.

5 (c) By June 15 of each odd numbered year, submit to each
6 member of the committees of the senate and house of representa-
7 tives with primary responsibility for election matters a report
8 on the qualified voter file. The report shall include, but need
9 not be limited to, both of the following:

10 (i) Information on the efficiency and effectiveness of the
11 qualified voter file as a voter registration system.

12 (ii) ~~Any recommendations~~ RECOMMENDATIONS of the secretary
13 of state for amendments to this act to increase the efficiency
14 and effectiveness of the qualified voter file as a voter regis-
15 tration system.

16 Sec. 509r. (1) The secretary of state shall establish and
17 maintain the computer system and programs necessary to the opera-
18 tion of the qualified voter file. The secretary of state shall
19 allow each county, city, township, or village access to the qual-
20 ified voter file. The county, city, township, and village clerks
21 shall verify the accuracy of the names and addresses of regis-
22 tered voters in the qualified voter file.

23 (2) Subject to subsection (3), the secretary of state and
24 county, city, township, and village clerks shall compile the
25 qualified voter file that consists of all qualified electors from
26 the following sources and in the following priority:

1 (a) A driver's license or, if there is no driver's license,
2 a state personal identification card, including renewals and
3 changes of address with the department of state.

4 (b) An application for benefits or services, including
5 renewals and changes of address, taken by a designated voter reg-
6 istration agency.

7 (c) An application to register to vote taken by a county,
8 city, township, or village clerk. ~~or secretary of a school~~
9 ~~board.~~

10 (3) A person whose name does not otherwise appear in the
11 qualified voter file shall be placed in the qualified voter file
12 only if the person signs under penalty of perjury an application
13 that contains ~~an attestation~~ A SWORN STATEMENT that the appli-
14 cant meets all of the following requirements:

15 (a) Is 17-1/2 years of age or older.

16 (b) Is a citizen of the United States and this state.

17 (c) Is a resident of the city or township where the person's
18 street address is located.

19 (4) A designated voter registration agency or a county,
20 city, township, or village clerk shall not add to, delete from,
21 or change any information contained in the qualified voter file
22 during the period beginning on the seventh day before an election
23 and ending on the day of the election.

24 Sec. 509gg. The information described in this section that
25 is contained in a registration record is exempt from the freedom
26 of information act, ~~Act No. 442 of the Public Acts of 1976,~~
27 ~~being sections 15.231 to 15.246 of the Michigan Compiled Laws~~

1 1976 PA 442, MCL 15.231 TO 15.246. The secretary of state, a
2 designated voter registration agency ~~—~~ OR a county, city, town-
3 ship, or village clerk ~~—, or the secretary of a school board~~
4 shall not release a copy of that portion of a registration record
5 that contains any of the following:

6 (a) The record that a person declined to register to vote.

7 (b) The office that received a registered voter's
8 application.

9 (c) A registered voter's driver license or state personal
10 identification card number.

11 (d) The month and day of birth of a registered voter.

12 (e) The telephone number provided by the registered voter.

13 Sec. 544c. (1) A nominating petition shall be 8-1/2 inches
14 by 14 inches in size. On a nominating petition, the words
15 "nominating petition" shall be printed in 24-point boldface
16 type. "We, the undersigned," et cetera shall be printed in
17 8-point type. "Warning" and language in the warning shall be
18 printed in 12-point boldface type. The balance of the petition
19 shall be printed in 8-point type. The name, address, and party
20 affiliation of the candidate and the office for which petitions
21 are signed shall be printed in type not larger than 24-point.

22 The petition shall be in the following form:

23 NOMINATING PETITION

24 (PARTISAN)

25 We, the undersigned, registered and qualified voters of the
26 city or township of,

1 (strike 1)
 2 THE SCHOOL DISTRICT OF, in the county of
 3 and
 4 state of Michigan, nominate,
 5 ,
 6 (Name of Candidate)
 7 ,
 8 (Street Address or Rural Route) (Post Office)
 9 as a candidate of the party for the office of
 10 ,
 11 ,
 12 (District, if any)
 13 to be voted for at the primary election to be held on ~~the~~
 14 ~~day of~~ , 19
 15 (DATE)
 16 WARNING
 17 A person who knowingly signs more petitions for the same
 18 office than there are persons to be elected to the office or
 19 signs a name other than his or her own is violating the provi-
 20 sions of the Michigan election law.

1 _____

2

3 Printed Street Address

4 Name and or Post Office Date of Signing

5 Signature Rural Route Mo. Day Year

6 _____

7 1. _____

8 2. _____

9 3. _____

10 4. _____

11

12 numbered lines as above

13 CERTIFICATE OF CIRCULATOR

14 The undersigned circulator of the above petition asserts
 15 that he or she is qualified to circulate this petition and that
 16 each signature on the petition was signed in his or her presence;
 17 and that, to his or her best knowledge and belief, each signature
 18 is the genuine signature of the person purporting to sign the
 19 petition, the person signing the petition was at the time of
 20 signing a qualified registered elector of the city or township

1 listed in the heading of the petition, and the elector was
2 qualified to sign the petition.

3 Circulator--Do not sign or date certificate until after cir-
4 culating petition.

5 _____
6 (Printed Name and Signature of Circulator) (Date)

7 _____
8 (City or Township Where Registered)
9 [or, for petitions under section 482,
10 "(City or Township Where Qualified to be Registered)"]

11 _____
12 Complete residence Address (Street and Number or Rural
13 Route)

14 _____
15 (Post Office) (ZIP CODE)

16 Warning-A circulator WHO knowingly ~~making~~ MAKES a false
17 statement in the above certificate, a person not ~~a~~ THE circula-
18 tor who signs as a circulator, or a person who signs a name other
19 than his or her own as circulator is guilty of a misdemeanor.

20 (2) The petition shall be in a form providing a space for
21 the circulator and each elector who signs the petition to print
22 his or her name. The secretary of state shall prescribe the
23 location of the space for the printed name. The failure of the

1 circulator or an elector who signs the petition to print his or
2 her name or to print his or her name in the location prescribed
3 by the secretary of state does not affect the validity of the
4 signature of the circulator or the elector who signs the
5 petition. A printed name located in the space prescribed for
6 printed names does not constitute the signature of the circulator
7 or elector.

8 (3) At the time of circulation, the circulator of a petition
9 shall be a registered elector of this state. At the time of exe-
10 cuting the certificate of circulator, the circulator shall be
11 registered in the city or township indicated in the certificate
12 of circulator on the petition. However, the circulator of a
13 petition under section 482 need only be qualified to be a regis-
14 tered elector of this state at the time of circulation and at the
15 time of executing the certificate of circulator.

16 (4) The circulator of a petition shall sign and date the
17 certificate of circulator before the petition is filed. A circu-
18 lator shall not obtain electors' signatures after the circulator
19 has signed and dated the certificate of circulator. A filing
20 official shall not count electors' signatures that were obtained
21 after the date the circulator signed the certificate or that are
22 contained in a petition that the circulator did not sign and
23 date.

24 (5) Except as provided in section 544d, a petition sheet
25 shall not be circulated in more than 1 city or township and each
26 signer of a petition sheet shall be a registered elector of the
27 city or township indicated in the heading of the petition sheet.

1 The invalidity of 1 or more signatures on a petition does not
2 affect the validity of the remainder of the signatures on the
3 petition.

4 (6) An individual shall not sign more nominating petitions
5 for the same office than there are persons to be elected to the
6 office. An individual who violates this subsection is guilty of
7 a misdemeanor.

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

9 (a) Sign a petition with a name other than his or her own.

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

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

12 (d) Sign a name as circulator other than his or her own.

13 (8) An individual who violates subsection (7) is guilty of a
14 misdemeanor punishable by a fine of not more than \$500.00 or
15 imprisonment for not more than 93 days, or both.

16 (9) If after a canvass and a hearing on a petition under
17 section 476 or 552 the board of state canvassers determines that
18 an individual has knowingly and intentionally failed to comply
19 with subsection (7), the board of state canvassers may impose 1
20 or more of the following sanctions:

21 (a) Disqualify ~~any~~ obviously fraudulent signatures on a
22 petition form on which the violation of subsection (7) occurred,
23 without checking the signatures against local registration
24 records.

25 (b) Disqualify from the ballot a candidate who committed,
26 aided or abetted, or knowingly allowed the violation of
27 subsection (7) on a petition to nominate that candidate.

1 (10) If an individual violates subsection (7) and the
2 affected petition sheet is filed, each of the following who knew
3 of the violation of subsection (7) before the filing of the
4 affected petition sheet and who failed to report the violation to
5 the secretary of state, the filing official, if different, the
6 attorney general, a law enforcement officer, or the county prose-
7 cuting attorney is guilty of a misdemeanor, punishable by a fine
8 of not more than \$500.00 or imprisonment for not more than 1
9 year, or both:

10 (a) The circulator of the petition, if different than the
11 individual who violated subsection (7).

12 (b) If the petition is a nominating petition, the candidate
13 whose nomination is sought.

14 (c) If the petition is a petition for a ballot question or
15 recall, the organization or other person sponsoring the petition
16 drive.

17 (11) If after a canvass and a hearing on a petition under
18 section 476 or 552 the board of state canvassers determines that
19 an individual has violated subsection (10), the board of state
20 canvassers may impose 1 or more of the following sanctions:

21 (a) Impose on the organization or other person sponsoring
22 the petition drive an administrative fine of not more than
23 \$5,000.00.

24 (b) Charge the organization or other person sponsoring the
25 petition drive for the costs of canvassing ~~any~~ A petition form
26 on which a violation of subsection (7) occurred.

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

4 (d) Disqualify ~~any~~ obviously fraudulent signatures on a
5 petition form on which a violation of subsection (7) occurred
6 without checking the signatures against local registration
7 records.

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

11 (12) If an individual refuses to comply with a subpoena of
12 the board of state canvassers in an investigation of an alleged
13 violation of subsection (7) or (10), the board may hold the can-
14 vass of the petitions in abeyance until the individual complies.

15 (13) A person who aids or abets another in an act that is
16 prohibited by this section is guilty of that act.

17 (14) The provisions of this section except as otherwise
18 expressly provided apply to all petitions circulated under
19 authority of the election law.

20 Sec. 644k. (1) If all or A portion of a ~~school district or~~
21 ~~a~~ community college district is ~~wholly or partly~~ within ~~a~~
22 ~~city~~ 1 or more ~~than 1 city~~ CITIES that elects city officers at
23 the odd year general election, the ~~school district or~~ community
24 college district ~~, except a first class school district,~~ may
25 hold its election biennially at the odd year general election if
26 existing law requires ~~or an agreement pursuant to section 533 of~~
27 ~~Act No. 269 of the Public Acts of 1955, as amended, being section~~

1 ~~340.533 of the Michigan Compiled Laws, authorizes~~ each city to
2 conduct the ~~school or~~ community college election at the same
3 time as and in conjunction with the city election.

4 (2) The board of ~~education of a school district or the~~
5 ~~board of~~ trustees of a community college district may determine
6 by resolution whether the district shall hold its election as
7 provided in this section. The resolution shall be adopted
8 ~~before May 1, 1971, if it is to be applicable to the 1971 odd~~
9 ~~year general election, otherwise it shall be adopted~~ not less
10 than 6 months ~~preceding~~ BEFORE the date of ~~any~~ A regularly
11 scheduled ~~school or~~ community college district election. In
12 its resolution the board shall provide that the term of office of
13 members of the ~~school district or~~ community college district
14 board shall be for an even number of years and shall provide for
15 an election schedule ~~which~~ THAT implements the change. A term
16 may be extended for not more than 1 year for this purpose. The
17 board may change the filing date of nominating petitions for
18 board of education candidates to conform with the filing dates of
19 a city election that is held in conjunction with the school board
20 election. ~~In the case of school elections held in accordance~~
21 ~~with this section, the last date for nomination shall not be more~~
22 ~~than 49 days before the scheduled school election.~~ The board may
23 provide that all members shall not be elected at the same
24 election. ~~Incumbents' terms shall be in accordance with~~ AN
25 INCUMBENT'S TERM IS DETERMINED UNDER section 644g(1). The date
26 for taking office ~~shall be as~~ IS prescribed in section 644h.

1 (3) This section ~~shall~~ DOES not ~~be deemed to~~ change the
2 prior provisions of law regarding petitions, nominations, or the
3 conduct of ~~school district and~~ community college district elec-
4 tions other than to allow a change in the date of the regular
5 district election and changes in the date for taking office and
6 the terms of office related to the change in election date.

7 Sec. 690. The APPROPRIATE township, city, or village board
8 of election commissioners, ~~as the case may be,~~ shall ~~cause~~
9 ARRANGE FOR the ballots required for ~~any~~ A regular or special
10 township, village, ~~or~~ city, SCHOOL, OR COMMUNITY COLLEGE elec-
11 tion, or official primary election for the nomination of candi-
12 dates for township, village, city, ~~or~~ ward, SCHOOL, OR COMMU-
13 NITY COLLEGE offices, to be printed and delivered to the
14 APPROPRIATE township, village, or city clerk ~~, as the case may~~
15 ~~be,~~ at least 10 days before ~~any such~~ THE election. ~~, and~~
16 ~~like~~ SIMILAR duties ~~as are hereinbefore enjoined~~ IMPOSED upon
17 county boards of election commissioners and upon county,
18 township, and city clerks relative to the printing, counting,
19 packaging, sealing, and delivery of official ballots, are ~~hereby~~
20 ~~enjoined~~ ALSO IMPOSED upon the ~~several~~ township and municipal
21 boards of election commissioners and ~~upon~~ the ~~several~~ town-
22 ship, village, or city clerks relative to the printing, counting,
23 packaging, sealing, and delivery of official ballots for use in
24 each precinct of ~~such~~ THE township, village, or city at ~~any~~
25 ~~such~~ A municipal, ~~or~~ township, SCHOOL, OR COMMUNITY COLLEGE
26 election.

1 Sec. 862. A candidate for ~~any~~ AN office AT AN ELECTION,
 2 including a candidate at ~~all~~ A school ~~elections except an~~
 3 ~~election for board members in a primary school district, at any~~
 4 ~~primary or election, conceiving himself~~ OR COMMUNITY COLLEGE
 5 ELECTION, WHO BELIEVES HE OR SHE IS aggrieved on account of fraud
 6 or mistake in the canvass of the votes by the ~~inspectors of~~
 7 election INSPECTORS, or in the returns made ~~thereon~~ ON THE
 8 ELECTION by the BOARD OF ELECTION inspectors, may petition for a
 9 recount of the votes cast for that office in any precinct or pre-
 10 cincts as provided in this chapter.

11 Sec. 863. A qualified and registered elector voting in a
 12 city, township, ~~school district other than a primary school dis-~~
 13 ~~trict at an election for board members,~~ or village at the ~~last~~
 14 ~~preceding~~ MOST RECENT election who believes there has been fraud
 15 or error committed by the ~~inspectors of~~ election INSPECTORS in
 16 ~~its~~ THEIR canvass or returns of the votes cast at the election,
 17 upon a proposed amendment to the charter of the city or village
 18 or ~~any~~ other proposition OR BALLOT QUESTION submitted to the
 19 voters of the county, city, township, school district, COMMUNITY
 20 COLLEGE DISTRICT, or village, may petition for a recount of the
 21 votes cast in any precinct or precincts of that county, city,
 22 township, school district, COMMUNITY COLLEGE DISTRICT, or vil-
 23 lage, ~~upon~~ ON that proposed amendment, BALLOT QUESTION, or
 24 other proposition as provided in this chapter.

25 Sec. 954. ~~The petitions~~ A RECALL PETITION shall be signed
 26 by registered and qualified electors of the electoral district of
 27 the official whose recall is sought. ~~In a school district where~~

~~1 school electors are not required to be registered, the signers of~~
~~2 the petition shall not be required to be registered electors and~~
~~3 the term "registered and qualified electors" shall mean~~
~~4 "qualified electors".~~ Each signer of ~~the~~ A RECALL petition
 5 shall affix his OR HER signature, address, and the date of
 6 signing. ~~The persons signing the~~ A PERSON WHO SIGNS A RECALL
 7 petition shall be A registered and qualified ~~electors~~ ELECTOR
 8 of the governmental subdivision designated in the heading of the
 9 petition.

10 Sec. 972. (1) Except as provided in subsection (2), a can-
 11 didate for a nonpartisan office shall be nominated and voted for
 12 in an election scheduled ~~pursuant to~~ UNDER section 971 by
 13 filing a nominating petition OR PAYING A \$100.00 NONREFUNDABLE
 14 FEE not later than 4 p.m. on the fifteenth day after the election
 15 is called. The nominating petition shall be filed with the clerk
 16 ~~or secretary~~ of the electoral district and signed by ~~not less~~
 17 ~~than 3% of the registered and~~ A NUMBER OF qualified AND
 18 REGISTERED electors of the electoral district AS DETERMINED UNDER
 19 SECTION 544F. ~~However, a nominating petition for the office of~~
 20 ~~district library board member shall be signed by not less than 3%~~
 21 ~~of the number of persons voting in the district library district~~
 22 ~~at the last election at which district library board members were~~
 23 ~~elected and filed with the clerk of the largest county or, if a~~
 24 ~~school district is a participating municipality, with the secre=~~
 25 ~~tary of the largest participating school district. For the pur=~~
 26 ~~poses of this subsection, the term "largest" has the meaning~~
 27 ~~ascribed to it in section 2 of the district library establishment~~

1 ~~act.~~ INSTEAD OF FILING A NOMINATING PETITION, AN INDIVIDUAL MAY
2 BECOME A CANDIDATE BY PAYING A \$100.00 NONREFUNDABLE FEE WITH THE
3 CLERK OF THE ELECTORAL DISTRICT.

4 (2) This subsection applies to an election to fill a vacancy
5 for an unexpired term created by a recall of a SCHOOL BOARD
6 member, ~~of a board of education of a school district,~~ if the
7 election is scheduled to be held on the same date as ~~an annual~~
8 ~~school election or~~ a general election. A NOMINATING petition
9 filed by a candidate shall be signed by a number of ~~registered~~
10 ~~and~~ qualified AND REGISTERED electors of the school district
11 ~~equal to not less than 1% of the total number of votes received~~
12 ~~by the candidate for member of the board of education who~~
13 ~~received the greatest number of votes at the last election at~~
14 ~~which members of the board of education were elected, but the~~
15 ~~number shall not be less than 20~~ AS DETERMINED UNDER SECTION
16 544F. The NOMINATING petition shall clearly state that it
17 relates to the filling of a vacancy for an unexpired term and
18 shall be filed with the ~~secretary of the board or in the office~~
19 ~~of the board of education~~ FILING OFFICIAL WHO RECEIVES NOMINAT-
20 ING PETITIONS UNDER SECTION 302 not later than 4 p.m. on the fif-
21 teenth day after the election is called. INSTEAD OF FILING A
22 NOMINATING PETITION, AN INDIVIDUAL MAY BECOME A CANDIDATE BY
23 PAYING A \$100.00 NONREFUNDABLE FEE TO THE FILING OFFICIAL WHO
24 RECEIVES NOMINATING PETITIONS UNDER SECTION 302 NOT LATER THAN 4
25 P.M. ON THE FIFTEENTH DAY AFTER THE ELECTION IS CALLED.

1 Enacting section 1. Section 758c of the Michigan election
2 law, 1954 PA 116, MCL 168.758c, is repealed effective January 1,
3 2003.

4 Enacting section 2. This amendatory act takes effect
5 January 1, 2003.

6 Enacting section 3. This amendatory act does not take
7 effect unless all of the following bills of the 91st Legislature
8 are enacted into law:

9 (a) Senate Bill No. 438.

10

11 (b) Senate Bill No. 439.

12

13 (c) Senate Bill No. 440

14