

# HOUSE BILL No. 4832

June 12, 2003, Introduced by Reps. Pappageorge, Farhat, Vander Veen, Ward, Ruth Johnson and Steil and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending sections 2, 3, 4, 192, 193, 197, 200, 209, 223, 231, 239, 253, 258, 269, 282, 282a, 283, 286, 286a, 289, 321, 322, 345, 348, 358, 358a, 362, 370, 370a, 381, 382, 412, 416, 432, 467a, 498, 538, 570a, 616a, 635, 643, 644c, 644e, 646a, 697, and 699 (MCL 168.2, 168.3, 168.4, 168.192, 168.193, 168.197, 168.200, 168.209, 168.223, 168.231, 168.239, 168.253, 168.258, 168.269, 168.282, 168.282a, 168.283, 168.286, 168.286a, 168.289, 168.321, 168.322, 168.345, 168.348, 168.358, 168.358a, 168.362, 168.370, 168.370a, 168.381, 168.382, 168.412, 168.416, 168.432, 168.467a, 168.498, 168.538, 168.570a, 168.616a, 168.635, 168.643, 168.644c, 168.644e, 168.646a, 168.697, and 168.699), section 2 as amended by 2002 PA 163, sections 193 and 322 as amended by 1999 PA 218, sections 200 and 643 as amended by 1998 PA 364, sections 209,

239, and 269 as amended by 1990 PA 7, section 283 as amended by 1999 PA 216, section 321 as amended by 1994 PA 277, section 358 as amended by 1999 PA 16, section 358a as amended by 1990 PA 235, section 362 as amended by 1980 PA 112, sections 370 and 370a as amended by 1990 PA 83, section 381 as amended by 1991 PA 16, section 416 as amended by 1990 PA 32, section 467a as amended by 1981 PA 4, section 498 as amended by 1984 PA 89, section 616a as added by 1988 PA 275, and section 646a as amended by 2002 PA 431, and by adding sections 644 and 659; and to repeal acts and parts of acts.

**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 is**  
 5 **not a Saturday, Sunday, or legal holiday.**

6       **(d) "Clearly observable boundaries" is defined in section**  
 7 **654a.**

8       **(e) "Education election day" means, as appropriate in the**  
 9 **context, either the day established in section 641 on which the**  
 10 **regular election for educational offices is held or the election**  
 11 **held on that day.**

12       **(f) ~~-(b)-~~ "Election" means an election or primary election at**  
 13 **which the electors of this state or of a subdivision of this**  
 14 **state choose or nominate by ballot an individual for public**  
 15 **office or decide a ballot question lawfully submitted to them.**

16       ~~-(c) "Name that was formally changed" means a name changed by~~

1 ~~a proceeding under chapter XI of the probate code of 1939, 1939~~  
2 ~~PA 288, MCL 711.1 to 711.3, or former 1915 PA 314, or through a~~  
3 ~~similar, statutorily sanctioned procedure under the law of~~  
4 ~~another state or country.~~

5 (g) "Election precinct" is defined in section 654.

6 (h) "Fall" state and county conventions and "spring" state  
7 and county conventions are assigned meanings in section 596.

8 (i) "General election" or "general November election" means  
9 the election held on the November regular election date in an  
10 even numbered year.

11 (j) "Immediate family" means an individual's father, mother,  
12 son, daughter, brother, sister, and spouse and a relative of any  
13 degree residing in the same household as that individual.

14 Sec. 3. ~~The term "general November election", as used in~~  
15 ~~this act, shall mean the election provided to be held in the~~  
16 ~~state on the first Tuesday after the first Monday of November in~~  
17 ~~every even numbered year. As used in this act:~~

18 (a) "Locked and sealed" is defined in section 14.

19 (b) "Major political party" is defined in section 16.

20 (c) "Metal seal" or "seal" is defined in section 14a.

21 (d) "Name that was formally changed" means a name changed by  
22 a proceeding under chapter XI of the probate code of 1939, 1939  
23 PA 288, MCL 711.1 to 711.3, or former 1915 PA 314, or through a  
24 similar, statutorily sanctioned procedure under the law of  
25 another state or country.

26 (e) "Odd year general election" means the election held on  
27 the November regular election date in an odd numbered year.

1 (f) "Odd year primary election" means the election held on  
2 the August regular election date in an odd numbered year.

3 (g) "Primary" or "primary election" is defined in section 7.

4 (h) "Qualified elector" is defined in section 10.

5 (i) "Qualified voter file" is defined in section 509m.

6 (j) "Regular election" means an election held on a regular  
7 election date to elect an individual to, or nominate an  
8 individual for, elective office in the regular course of the  
9 terms of that elective office.

10 (k) "Regular election date" means 1 of the dates established  
11 as a regular election date in section 641.

12 (l) "Residence" is defined in section 11.

13 Sec. 4. ~~The term "biennial spring election", "spring~~  
14 ~~election" or other similar term, as used in city or village~~  
15 ~~charters unless otherwise defined therein, shall mean the local~~  
16 ~~election to be held on the first Monday of April in every odd~~  
17 ~~numbered year. As used in this act:~~

18 (a) "Special election" means an election to elect an  
19 individual to, or nominate an individual for, a partial term in  
20 office or to submit a ballot question to the electors.

21 (b) "Special primary" means a primary called by competent  
22 authority for the nomination of candidates to be voted for at a  
23 special election.

24 (c) "Village" is defined in section 9.

25 Sec. 192. ~~A general primary election of all political~~  
26 ~~parties shall be held in every county of this state on the~~  
27 ~~Tuesday succeeding the first Monday in August preceding the~~

1 ~~general November election at which the officers named in section~~  
 2 ~~191 of this act are to be elected~~ **Candidates for election to the**  
 3 **offices named in section 191 shall be nominated at the odd year**  
 4 **primary election**, at which time the qualified and registered  
 5 electors of each political party may vote for party candidates  
 6 for the offices. This section ~~shall~~ **does** not apply to parties  
 7 required to nominate candidates at caucuses or conventions.

8       Sec. 193. (1) ~~To obtain the printing of~~ **For** the name of a  
 9 person **to appear** as a candidate for nomination by a political  
 10 party for an office named in section 191 under a particular party  
 11 heading ~~upon~~ **on** the official primary ~~ballots~~ **ballot**, ~~there~~  
 12 **a nominating petition** shall be filed with the county clerk  
 13 ~~nominating petitions~~ signed by a number of qualified and  
 14 registered electors residing within the county as determined  
 15 under section 544f. Nominating petitions shall be in the form  
 16 prescribed in section 544c. The ~~county clerk shall receive~~  
 17 nominating petitions ~~up to~~ **shall be filed with the county clerk**  
 18 **not later than 4 p.m.** of the twelfth Tuesday ~~preceeding~~ **before**  
 19 the ~~August primary~~ **odd year primary election**.

20       (2) ~~To obtain the printing of the name of a candidate of a~~  
 21 ~~political party under the particular party's heading upon the~~  
 22 ~~primary election ballots in the various voting preeincts of the~~  
 23 ~~county, there may be filed by the candidate, in lieu~~ **Instead** of  
 24 filing nomination petitions, **the candidate may pay** a filing fee  
 25 of \$100.00 ~~to be paid~~ to the county clerk. Payment of the fee  
 26 and certification of the candidate's name paying the fee ~~shall~~  
 27 ~~be~~ **is** governed by the same provisions as ~~in the case of~~ **for**

1 nominating petitions. The fee shall be deposited in the general  
 2 fund of the county and shall be refunded to candidates who are  
 3 nominated and to an equal number of candidates who receive the  
 4 next highest number of votes in the primary election. If 2 or  
 5 more candidates tie in having the lowest number of votes allowing  
 6 a refund, the sum of \$100.00 shall be divided among them. The  
 7 deposits of all other defeated candidates, ~~as well as~~ **and** the  
 8 deposits of candidates who withdraw or are disqualified, shall be  
 9 forfeited and the candidates shall be notified of the  
 10 forfeiture. Deposits forfeited under this section shall be ~~paid~~  
 11 ~~into and credited to~~ **deposited in** the general fund of the  
 12 county.

13       Sec. 197. The candidates of each political party for the  
 14 offices named in section 191 of this act receiving the greatest  
 15 number of votes cast for ~~said~~ **the** offices, as set forth in the  
 16 reports of the board of county canvassers, based on the returns  
 17 from the various election precincts, or as determined by ~~said~~  
 18 **the board of county canvassers** as the result of a recount, ~~shall~~  
 19 ~~be declared~~ **are** the nominees of that political party for ~~said~~  
 20 **those** offices at the next ensuing ~~November~~ **odd year general**  
 21 election. The board of county canvassers shall ~~forthwith~~  
 22 **immediately** certify ~~such~~ **the** nominations to the county election  
 23 commission.

24       Sec. 200. (1) A county clerk, a county treasurer, a  
 25 register of deeds, a prosecuting attorney, a sheriff, a drain  
 26 commissioner, and a surveyor shall be elected at the ~~2000~~  
 27 ~~general November~~ **2005 odd year general** election and every fourth

1 year after that. However, in a county in which 1 of these  
2 offices is abolished or combined as provided by law, ~~no~~ a  
3 person shall **not** be elected to that office in that county. **The**  
4 **term of an officer listed in this subsection who was elected at**  
5 **the 2000 general election is extended until a successor is**  
6 **elected and qualified at the 2005 odd year general election.**

7 (2) Subject to subsections (3), (4), and (5), a county board  
8 of commissioners may by resolution combine the offices of county  
9 clerk and register of deeds in 1 office of the clerk register or  
10 separate the office of the clerk register into the offices of  
11 county clerk and register of deeds. A combination or separation  
12 of offices shall not take effect before the expiration of the  
13 current term of the affected offices.

14 (3) Before adopting a resolution to combine the offices of  
15 county clerk and register of deeds or separate the office of  
16 clerk register into the offices of county clerk and register of  
17 deeds, a county board of commissioners shall study the question  
18 of combining or separating the offices. The mandatory  
19 requirements of this subsection may be satisfied by conducting a  
20 public hearing ~~pursuant to~~ **as provided in** subsection (4).

21 (4) The county board of commissioners as a whole body shall  
22 hold not less than 1 public hearing, held subject to the open  
23 meetings act, 1976 PA 267, MCL 15.261 to 15.275, on the question  
24 of combining or separating the offices of county clerk and  
25 register of deeds. The county board of commissioners may vote on  
26 the question as a regularly scheduled agenda item not less than  
27 10 days or more than 30 days after the last public hearing held

1 by the county board of commissioners on the question.

2 (5) Not later than the sixth Tuesday before the deadline for  
3 filing the nominating petitions for the office of county clerk,  
4 register of deeds, or clerk register, the county board of  
5 commissioners may by a vote of 2/3 of the commissioners elected  
6 and serving combine the offices of county clerk and register of  
7 deeds or separate the office of the clerk register. The  
8 resolution ~~shall become~~ **is** effective upon the commencement of  
9 the next term of office of the county clerk, register of deeds,  
10 or clerk register after the adoption of the resolution.

11 Sec. 209. If a vacancy occurs in an elective or appointive  
12 county office, it shall be filled in the following manner:

13 (1) If the vacancy is in the office of county clerk or  
14 prosecuting attorney, it shall be filled by appointment by the  
15 judge or judges of that judicial circuit.

16 (2) If the vacancy is in ~~any other~~ **another** county office,  
17 the presiding or senior judge of probate, the county clerk, and  
18 the prosecuting attorney shall appoint a suitable person to fill  
19 the vacancy.

20 (3) A person appointed shall take and subscribe to the oath  
21 as provided in section 1 of article XI of the state constitution  
22 of 1963, give bond in the manner required by law, and hold office  
23 for the remainder of the unexpired term and until a successor is  
24 elected and qualified. However, if the next ~~general November~~  
25 **odd year general** election is to be held more than 182 days after  
26 the vacancy occurs, and it is not the ~~general November~~ **odd year**  
27 **general** election at which a successor in office would be elected



1 if there were no vacancy, the person appointed shall hold office  
 2 only until a successor is elected at the next ~~general November~~  
 3 **odd year general** election in the manner provided by law and  
 4 qualifies for office. The successor shall hold the office for  
 5 the remainder of the unexpired term.

6 Sec. 223. ~~A primary of all political parties shall be held~~  
 7 ~~on the Tuesday succeeding the first Monday in August preceding~~  
 8 ~~the general November election in the year 1956 and every fourth~~  
 9 ~~year thereafter~~ **Candidates for county auditor shall be nominated**  
 10 **at the odd year primary election**, at which time the qualified and  
 11 registered electors of each political party may vote for party  
 12 candidates for nomination for the office of county auditor. ~~A~~  
 13 ~~primary of all political parties shall be held on the third~~  
 14 ~~Monday in February preceding the general April election in the~~  
 15 ~~year 1957 and every fourth year thereafter, and in the year 1959~~  
 16 ~~and every fourth year thereafter, at which time the qualified and~~  
 17 ~~registered electors of each political party may vote for party~~  
 18 ~~candidates for nomination for the office of county auditor:~~  
 19 ~~Provided, That this section shall~~ **This section does** not apply to  
 20 parties required to nominate candidates at conventions.

21 Sec. 231. A county auditor shall be elected at the ~~general~~  
 22 ~~November election in the year 1956~~ **2005 odd year general**  
 23 **election** and every fourth year ~~thereafter, and in counties~~  
 24 ~~electing a county auditor in the spring, a county auditor shall~~  
 25 ~~be elected at the biennial spring election~~ **after that. The term**  
 26 **of an elected county auditor whose term ends within 4 years**  
 27 **before the 2005 odd year general election is extended until a**

1 **successor is elected and qualified at the 2005 odd year general**  
2 **election.**

3       Sec. 239. If a vacancy occurs in the office of county  
4 auditor, a qualified person shall be appointed to fill the  
5 vacancy by a committee consisting of the presiding or senior  
6 judge of probate, the county clerk, and the prosecuting attorney  
7 of the county, 2 of whom shall constitute a quorum. The person  
8 appointed shall take the oath of office, as provided in section 1  
9 of article XI of the state constitution of 1963, give bond in the  
10 manner required by law, and hold office for the remainder of the  
11 unexpired term and until a successor is elected and qualified.  
12 However, if the next ~~general November~~ **odd year general** election  
13 is to be held more than 182 days after the vacancy occurs, and it  
14 is not the ~~general November~~ **odd year general** election at which  
15 a successor in office would be elected if there were no vacancy,  
16 the person appointed shall hold office only until a successor is  
17 elected at the next ~~general November~~ **odd year general** election  
18 in the manner provided by law and qualifies for office. The  
19 successor shall hold the office for the remainder of the  
20 unexpired term.

21       Sec. 253. ~~A general primary election of all political~~  
22 ~~parties shall be held on the Tuesday succeeding the first Monday~~  
23 ~~in August preceding every general November election in which~~  
24 ~~county road commissioners are elected~~ **Candidates for county road**  
25 **commissioners shall be nominated at the odd year primary**  
26 **election**, at which time the qualified and registered electors of  
27 each political party may vote for party candidates for the office

1 of county road commissioner.

2       Sec. 258. The candidate of each political party for the  
3 office of county road commissioner receiving the greatest number  
4 of votes cast for candidates for ~~said~~ **that** office, as set forth  
5 in the report of the board of county canvassers, based on the  
6 returns from the various election precincts, or as determined by  
7 ~~said~~ **the board of canvassers** as the result of a recount, ~~shall~~  
8 ~~be declared~~ **is** the nominee of that political party for ~~said~~  
9 **the** office at the next ensuing ~~November~~ **odd year general**  
10 election, and the board of county canvassers shall ~~forthwith~~  
11 **immediately** certify ~~such~~ **the** nomination to the county election  
12 commission.

13       Sec. 269. If a vacancy occurs in the office of county road  
14 commissioner, a qualified person shall be appointed to fill the  
15 vacancy by the county board of commissioners. The person ~~so~~  
16 appointed shall take the oath of office, give bond in the manner  
17 required by law, and hold office for the remainder of the  
18 unexpired term and until a successor is elected and qualified.  
19 However, in a county in which county road commissioners are  
20 elected, if the next ~~general November~~ **odd year general** election  
21 is to be held more than 182 days after the vacancy occurs, and it  
22 is not the ~~general November~~ **odd year general** election at which  
23 a successor in office would be elected if there were no vacancy,  
24 the person appointed shall hold office only until a successor is  
25 elected at the next ~~general November~~ **odd year general** election  
26 in the manner provided by law and qualifies for office. The  
27 successor shall hold the office for the remainder of the

1 unexpired term.

2       Sec. 282. At its ~~fall~~ **spring** state convention, each  
3 political party may nominate 2 candidates for membership on the  
4 board of regents of the University of Michigan, 2 candidates for  
5 membership on the board of trustees of Michigan State University,  
6 and 2 candidates for membership on the board of governors of  
7 Wayne State University. ~~Nomination to membership on the board~~  
8 ~~of regents of the University of Michigan shall occur in 1966 and~~  
9 ~~every second year thereafter. Nomination to the board of~~  
10 ~~trustees of Michigan State University and to the board of~~  
11 ~~governors of Wayne State University shall occur in 1964 and every~~  
12 ~~second year thereafter.~~

13       Sec. 282a. ~~At its fall state convention of 1964, each~~  
14 ~~political party may nominate 8 candidates for membership on the~~  
15 ~~state board of education. Two candidates shall be nominated for~~  
16 ~~2-year terms, 2 for 4-year terms, 2 for 6-year terms and 2 for~~  
17 ~~8-year terms. At its fall spring state convention, of 1966,~~  
18 ~~and every 2 years thereafter,~~ each political party may nominate  
19 2 candidates for membership on the state board of education.

20       Sec. 283. Not more than 24 hours after the conclusion of  
21 the ~~fall~~ **spring** state convention, the state central committee  
22 of each political party shall canvass the proceedings of the  
23 convention and determine the nominees of the convention for  
24 membership on the state board of education, the board of regents  
25 of the University of Michigan, the board of trustees of Michigan  
26 State University, and the board of governors of Wayne State  
27 University. Not more than 1 business day after the conclusion of

1 the state convention, the chairperson and secretary of the state  
2 central committee shall forward by registered or certified mail  
3 to the secretary of state ~~and to the board of election~~  
4 ~~commissioners of each county, in care of the county clerk at the~~  
5 ~~county seat,~~ a copy of the vignette adopted by the state central  
6 committee and a typewritten or printed list of the names and  
7 residence, including the street address if known, of the  
8 candidates nominated at the convention for the offices specified  
9 in this section. **The secretary of state shall forward a copy of**  
10 **a list received under this section to the board of election**  
11 **commissioners of each county, in care of the county clerk at the**  
12 **county seat.**

13       Sec. 286. Two members of the board of regents of the  
14 ~~University of Michigan shall be elected at the general election~~  
15 ~~in 1966 and in every general election thereafter. Two members of~~  
16 ~~the board of trustees of Michigan State University and 2 members~~  
17 ~~of the board of governors of Wayne State University shall be~~  
18 ~~elected at the general election in 1964 and in every general~~  
19 ~~election thereafter~~ **University of Michigan, 2 members of the**  
20 **board of trustees of Michigan State University, and 2 members of**  
21 **the board of governors of Wayne State University shall be elected**  
22 **at the 2005 education election day and at each education election**  
23 **day after 2005. The term of a member of a university board named**  
24 **in this section is extended until a successor is elected and**  
25 **qualified at the education election day immediately following the**  
26 **date on which that term would have ended but for the amendments**  
27 **to this act made by the amendatory act that added section 644.**

1       Sec. 286a. ~~Eight members of the state board of education~~  
 2 ~~shall be elected at the general election in 1964. Two members~~  
 3 ~~shall be elected for 2-year terms, 2 for 4-year terms, 2 for~~  
 4 ~~6-year terms, and 2 for 8-year terms.~~ Two members of the state  
 5 board of education shall be elected for 8-year terms at the  
 6 ~~general election in 1966 and in every general election~~  
 7 ~~thereafter~~ **2005 education election day and at each education**  
 8 **election day after 2005. The term of a member of the state board**  
 9 **of education is extended until a successor is elected and**  
 10 **qualified at the education election day immediately following the**  
 11 **date on which that term would have ended but for the amendments**  
 12 **to this act made by the amendatory act that added section 644.**

13       Sec. 289. Subject to section **286 or** 286a, the term of  
 14 office of members of the state board of education, the board of  
 15 regents of the University of Michigan, the board of trustees of  
 16 Michigan State University, and the board of governors of Wayne  
 17 State University ~~shall be~~ **is** 8 years and ~~shall begin~~ **begins**  
 18 at 12 noon on January 1 next following their election. The terms  
 19 of office of members of ~~said~~ **those** boards shall continue until  
 20 a successor is elected and qualified.

21       Sec. 321. (1) Except as provided in subsection (3) and  
 22 ~~section~~ **sections** 327, **641, and 644g**, the qualifications,  
 23 nomination, election, appointment, term of office, and removal  
 24 from office of ~~any~~ **a** city officer shall be in accordance with  
 25 the charter provisions governing the city. **A city may provide in**  
 26 **its charter for an annual regular election to be held on the**  
 27 **November regular election date.**

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

6       (3) If the membership of the legislative body of a city  
7 governed by the home rule city act, ~~Act No. 279 of the Public~~  
8 ~~Acts of 1909, being sections 117.1 to 117.38 of the Michigan~~  
9 ~~Compiled Laws 1909 PA 279, MCL 117.1 to 117.38,~~ is reduced to  
10 less than a quorum, unless another method of appointing members  
11 of the legislative body is provided by the city charter, members  
12 of the legislative body ~~shall be~~ **are** appointed as provided in  
13 this subsection. The board of county election commissioners of  
14 the county in which the largest portion of the population of the  
15 city resides ~~as reported by the last decennial census~~ shall  
16 appoint the number of members of the legislative body required to  
17 constitute a quorum for the transaction of business by the  
18 legislative body. A member of the legislative body appointed  
19 under this subsection shall hold the office only until the  
20 member's successor is elected and qualified. ~~Unless otherwise~~  
21 ~~provided by charter, the successor shall be elected at the next~~  
22 ~~regular election for a member of the legislative body or, if a~~  
23 ~~regular election is not scheduled to be held within 90 days after~~  
24 ~~the appointment is made under this subsection, the legislative~~  
25 ~~body shall call a special election for the successor to be held~~  
26 ~~within 90 days after the appointment is made. In either case,~~  
27 ~~the successor shall serve for the balance of the unexpired term.~~

1 A member who is appointed under this subsection shall not vote on  
 2 the appointment of himself or herself to an elective or  
 3 appointive city office.

4 (4) Notwithstanding ~~any other~~ **another** provision of law or  
 5 charter to the contrary, an appointment to an elective or  
 6 appointive city office made by a quorum constituted by  
 7 appointments under this ~~subsection shall expire~~ **section expires**  
 8 upon the election and qualification of a sufficient number of  
 9 members of the legislative body so that the elected members  
 10 constitute a quorum.

11 Sec. 322. ~~To obtain the printing of~~ **For** the name of a  
 12 candidate of a political party for a city office, including a  
 13 ward office, **to appear** under the particular party heading on the  
 14 official primary election ~~ballots~~ **ballot** for use in the city,  
 15 ~~there~~ **a nominating petition** shall be filed with the city clerk,  
 16 ~~of the city~~ not later than 4 p.m. on the twelfth Tuesday  
 17 ~~preceding the August primary, or not later than 4 p.m. on the~~  
 18 ~~seventh Monday preceding the primary election provided to be held~~  
 19 ~~on the third Monday in February,~~ **before the odd year primary**  
 20 **election. The** nominating ~~petitions~~ **petition shall have been**  
 21 signed by a number of qualified and registered electors of the  
 22 political party who reside in the city or ward as determined  
 23 under section 544f. This section does not apply to a city the  
 24 charter of which provides for a different method of nominating  
 25 candidates for public office. The ~~form of the~~ **nominating**  
 26 petition shall be ~~as~~ **in the form** provided in section 544c.

27 Sec. 345. A primary of all political parties shall be held



1 in ~~every~~ **each** organized township of this state ~~on the Tuesday~~  
 2 ~~succeeding the first Monday in August preceding every general~~  
 3 ~~November~~ **at the odd year primary** election, ~~at which time for~~  
 4 the qualified and registered electors of each political party  
 5 ~~may~~ **to** vote for party candidates for township offices.

6 Sec. 348. The township board, not less than 40 days prior  
 7 to the holding of the primary ~~herein~~ provided for **in this act**,  
 8 shall issue a call for ~~such~~ **the** primary designating the time  
 9 and place ~~thereof~~ **of the primary** and shall give notice of the  
 10 ~~same~~ **primary** by publishing a copy of ~~such~~ **the** call in ~~some~~  
 11 **a** newspaper of general circulation in the township. ~~and if~~  
 12 ~~deemed advisable by the~~ **The** township board **may give notice of**  
 13 **the primary** by ~~the~~ posting ~~of~~ the number of notices that the  
 14 board ~~shall designate~~ **designates** in conspicuous places. In  
 15 townships having less than 200 registered voters, the township  
 16 board may provide that for elections at which no township  
 17 question is to be submitted notices of the election shall be by  
 18 posting, ~~as herein provided, in lieu~~ **instead** of by publishing.  
 19 ~~The time of holding such primary in townships shall be on the~~  
 20 ~~third Monday in February preceding each biennial spring~~  
 21 ~~election.~~

22 Sec. 358. (1) ~~In every township, there shall be a general~~  
 23 ~~November election in each even-numbered year for the election of~~  
 24 ~~officers and the submission of propositions, as provided by law.~~  
 25 ~~At the 1980 general November~~ **at the 2005 odd year general**  
 26 election, there shall be elected by ballot all of the following  
 27 township officers:

1 (a) A supervisor.

2 (b) A clerk.

3 (c) A treasurer.

4 (d) Two trustees.

5 (e) Not more than 4 constables.

6 (f) If authorized by law and after a township takes the  
7 actions provided in section 11 of 1877 PA 164, MCL 397.211, 6  
8 free public library directors.

9 (g) If a township takes the actions provided in section 1 of  
10 former 1931 PA 271 or section 6 of 1905 PA 157, MCL 41.426, the  
11 number of park commission members provided for under section 6 of  
12 1905 PA 157, MCL 41.426.

13 (2) Except as otherwise provided in this subsection, the  
14 order of offices on the township portion of the ballots shall be  
15 the same as the order in which the officers are listed in  
16 subsection (1). Free public library directors shall be listed on  
17 the nonpartisan portion of the ballot.

18 (3) Subject to the limitation in subsection (1), the number  
19 of constables to be elected at the 1992 general November election  
20 and each ~~general November~~ **odd year general** election at which  
21 township offices are regularly to be elected after ~~1992~~ **2005**  
22 shall be determined by the township board by resolution not less  
23 than 6 months before the township primary election preceding the  
24 ~~general November~~ **odd year general** election. The resolution  
25 that specifies the number of constables to be elected applies in  
26 that township until a subsequent resolution is adopted altering  
27 that number. If a determination as to the number of constables

1 to be elected is not made by the township board by the deadline  
2 under this subsection for the 1992 general election, the number  
3 of constables to be elected shall be the same number that was  
4 elected in that township in the 1988 general November election  
5 until a resolution is adopted to provide for the election of a  
6 different number of constables.

7 (4) In a township having a population of 5,000 or more, or  
8 having 3,000 or more qualified and registered electors as shown  
9 by the registration records at the close of registration for the  
10 last preceding ~~general November~~ **odd year general** election,  
11 there may be elected 4 trustees. In other townships there shall  
12 be 2 trustees. A township shall not elect 4 trustees unless the  
13 election of additional trustees is approved by the voters at ~~a~~  
14 ~~general November~~ **an odd year general** election or by a majority  
15 of the voters attending at an annual meeting. The township board  
16 of a township having a population of 5,000 or more, or having  
17 3,000 or more qualified and registered electors, shall cause the  
18 question of electing additional trustees to be voted on at the  
19 first ~~general November~~ **odd year general** election or annual  
20 meeting following the township's qualifying for additional  
21 trustees. If a majority of the electors voting on the question  
22 vote in favor of electing 4 trustees, the township shall  
23 thereafter elect 4 trustees. If a majority of the electors  
24 voting on the question do not vote in favor of electing 4  
25 trustees, the township board may resubmit the question at a  
26 subsequent ~~general November~~ **odd year general** election or annual  
27 meeting or the question shall be submitted at the first ~~general~~

1 ~~November~~ **odd year general** election or annual meeting held not  
 2 less than 84 days following the submission of a petition  
 3 containing the signatures of not less than 10% of the registered  
 4 and qualified electors of the township, as shown by the  
 5 registration records at the close of registration for the last  
 6 ~~general November~~ **odd year general** election, asking that the  
 7 question be submitted.

8 (5) At the first ~~general November~~ **odd year general** election  
 9 in a township held not less than 4 months after the provisions of  
 10 this section relative to additional trustees are adopted by a  
 11 township, there shall be elected the number of trustees necessary  
 12 to make a total of 4 trustees. If the additional trustees are  
 13 elected at ~~a general November~~ **an odd year general** election that  
 14 is not a regular township election, the additional trustees shall  
 15 hold office only until a successor is elected at the next regular  
 16 township election and qualifies for office.

17 (6) This section does not prohibit townships electing 4  
 18 trustees as of September 13, 1958 from continuing to do so.

19 Sec. 358a. The township board of a township may call a  
 20 special election to be held in the township for the purpose of  
 21 submitting ~~any~~ a proposition or propositions to the electors of  
 22 the township. A special election shall ~~not~~ be held ~~within 30~~  
 23 ~~days before or after a regular township or state primary or~~  
 24 ~~general election~~ **on a regular election date**. Notice of the  
 25 special election shall be given in the same manner ~~now~~ required  
 26 ~~of regular elections held under this act~~ **by section 653a**.

27 Sec. 362. (1) The term of office of township trustees

1 elected in 1978 ~~shall be~~ **is** 2 years. The term of office of all  
 2 township officers listed in section 358 ~~shall be~~ **is** 4 years  
 3 beginning in the 1980 general election, and in all subsequent  
 4 elections at which township officials are elected. All township  
 5 officers' terms shall commence at 12 noon on November 20 next  
 6 following their election and they shall qualify before assuming  
 7 the duties of their office. Each township officer shall hold  
 8 office until a successor is elected and qualified, but not beyond  
 9 January 1 following the election. Failure of an elected township  
 10 official to qualify by January 1 following the official's  
 11 election shall create a vacancy ~~which~~ **that** shall be filled as  
 12 provided in section 370. All elective township officers ~~—, other~~  
 13 ~~than those listed in section 358,~~ shall be elected at the  
 14 ~~November~~ **odd year general** election immediately preceding the  
 15 expiration of their term and shall commence the duties of their  
 16 office on November 20 but not before they qualify following their  
 17 election.

18 (2) A township officer elected in the general election shall  
 19 remain in office for the full term if the officer failed to take  
 20 the oath of office within the time prescribed by law and was  
 21 subsequently appointed by the township board to the office for  
 22 which the officer ran. **The term of a township officer is**  
 23 **extended until a successor is elected and qualified at the odd**  
 24 **year general election immediately following the date on which**  
 25 **that term would have ended but for the amendments to this act**  
 26 **made by the amendatory act that added section 644.**

27 Sec. 370. (1) Except as provided in subsection (2), if a

1 vacancy occurs in an elective or appointive township office, the  
2 vacancy shall be filled by appointment by the township board, and  
3 the person appointed shall hold the office for the remainder of  
4 the unexpired term.

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

18 (3) If a township official submits a written resignation from  
19 an elective township office, for circumstances other than a  
20 resignation related to a recall election, ~~which~~ **that** specifies  
21 a date and time ~~at which~~ **when** the resignation is effective, the  
22 township board, within 30 days before that effective date and  
23 time, may appoint a person to fill the vacancy at the effective  
24 date and time of the resignation. The resigning official shall  
25 not vote on the appointment.

26 (4) Except as provided in subsection (5), if the township  
27 board does not make an appointment under subsection (3), or if a

1 vacancy occurs in an elective township office and the vacancy is  
 2 not filled by the township board or the board of county election  
 3 commissioners within 45 days after the beginning of the vacancy,  
 4 the county clerk of the county in which the township is located  
 5 shall notify the governor of the fact. The governor shall call a  
 6 special election to fill the vacancy. The governor shall provide  
 7 for the date for the filing of the petitions, ~~which~~ **and that**  
 8 date shall also be the last date to register for the special  
 9 primary election. ~~Notwithstanding section 358a, the special~~  
 10 ~~primary or special general election may be held within 60 days of~~  
 11 ~~a state primary or a state general election.~~ A special primary  
 12 or election called by the governor under authority of this  
 13 section ~~shall~~ **does** not affect the rights of a qualified elector  
 14 to register for any other election. A person elected to fill a  
 15 vacancy shall serve for the remainder of the unexpired term.

16 (5) Subsection (4) ~~shall~~ **does** not apply to the office of  
 17 township constable. If a vacancy occurs in the office of  
 18 township constable, the township board shall determine if and  
 19 when the vacancy shall be filled **by appointment**. If the township  
 20 board does not fill the vacancy **by appointment**, the office of  
 21 township constable shall remain vacant until the next general or  
 22 special election in which ~~the~~ township offices are filled.

23 Sec. 370a. Notwithstanding the provisions of section 370,  
 24 if a vacancy occurs in an elective or appointive township office,  
 25 ~~which~~ **the** vacancy is filled by appointment by the township  
 26 board or the board of county election commissioners, and the next  
 27 ~~general November~~ **odd year general** election is to be held more

1 than 182 days after the vacancy occurs, ~~which election~~ and is  
 2 not the ~~general November~~ **odd year general** election at which a  
 3 successor in office would be elected if no vacancy, then the  
 4 person appointed shall hold office only until a successor is  
 5 elected at the next ~~general November~~ **odd year general** election  
 6 in the manner provided by law and qualifies for office. The  
 7 successor shall hold the office for the remainder of the  
 8 unexpired term.

9       Sec. 381. (1) Except as provided in subsection ~~(3)~~ (2)  
 10 and ~~section~~ **sections** 383 and 641, the qualifications,  
 11 nomination, election, appointment, term of office, and removal  
 12 from office of a village officer shall be ~~pursuant to~~ **as**  
 13 **determined by** the charter provisions governing the village. **A**  
 14 **village may provide in its charter for an annual regular election**  
 15 **to be held on the November regular election date.**

16       ~~(2) Within 3 days after the last day on which a candidate~~  
 17 ~~for a village office may withdraw, the village clerk shall~~  
 18 ~~deliver to the county clerk of the county in which the village is~~  
 19 ~~located, a list setting forth the name and address of each~~  
 20 ~~candidate for a village office.~~

21       (2) ~~(3)~~ If the membership of the village council of a  
 22 village governed by ~~Act No. 3 of the Public Acts of 1895, being~~  
 23 ~~sections 61.1 to 74.22 of the Michigan Compiled Laws~~ **the general**  
 24 **law village act, 1895 PA 3, MCL 61.1 to 74.25**, is reduced to less  
 25 than a quorum of 4 and a special election for the purpose of  
 26 filling all vacancies in the office of trustee is called under  
 27 section 13 of ~~Act No. 3 of the Public Acts of 1895, being~~



1 ~~section 62.13 of the Michigan Compiled Laws~~ **chapter II of the**  
 2 **general law village act, 1895 PA 3, MCL 62.13,** temporary  
 3 appointments of trustees shall be made as provided in this  
 4 subsection. The board of county election commissioners of the  
 5 county in which the largest portion of the population of the  
 6 village is situated ~~as reported by the last decennial census~~  
 7 shall make temporary appointment of the number of trustees  
 8 required to constitute a quorum for the transaction of business  
 9 by the village council. A trustee appointed under this  
 10 subsection shall hold the office only until the trustee's  
 11 successor is elected and qualified. A trustee who is temporarily  
 12 appointed under this subsection shall not vote on the appointment  
 13 of himself or herself to an elective or appointive village  
 14 office.

15 (3) Notwithstanding ~~any other~~ **another** provision of law or  
 16 charter to the contrary, an appointment to an elective or  
 17 appointive village office made by a quorum constituted by  
 18 temporary appointments under this subsection ~~shall expire~~  
 19 **expires** upon the election and qualification of trustees under the  
 20 special election called to fill the vacancies in the office of  
 21 trustee.

22 Sec. 382. ~~If the charter of a village does not specify the~~  
 23 ~~time, manner, and means of nominating and electing its public~~  
 24 ~~officers, the~~ **A** village shall nominate and elect its officers in  
 25 accordance with the provisions governing the selection of  
 26 township officers, as provided in chapter **XVI.** ~~16 of this act,~~  
 27 ~~except that nomination by caucus or primary shall occur on the~~

~~1 third Monday in February and village elections shall be held on~~  
~~2 the second Monday in March biennially in even numbered years or~~  
~~3 annually as provided in section 5 of chapter 2 of Act No. 3 of~~  
~~4 the Public Acts of 1895, being section 62.5 of the Michigan~~  
~~5 Compiled Laws.~~

6       Sec. 412. ~~A general nonpartisan primary election shall be~~  
~~7 held in every county of this state on the Tuesday succeeding the~~  
~~8 first Monday in August prior to the general election at which~~  
~~9 judges of the circuit court are elected~~ **Candidates for judge of**  
10 **the circuit court shall be nominated at the odd year primary**  
11 **election**, at which time the qualified and registered electors may  
12 vote for nonpartisan candidates for the office of **circuit court**  
13 **judge.** ~~of the circuit court.~~ If, ~~upon the expiration of the~~  
14 ~~time~~ **after the deadline** for filing petitions or incumbency  
15 affidavits of candidacy for the primary election ~~of said judge~~  
16 ~~of the~~ **for circuit court judge** in ~~any~~ **a** judicial circuit, ~~it~~  
17 ~~shall appear that~~ there are not ~~to exceed~~ **more than** twice the  
18 number of candidates as there are persons to be elected, then the  
19 secretary of state shall certify to the county board of election  
20 commissioners the name of ~~such~~ **the** candidate for circuit court  
21 judge whose petitions or affidavits have been properly filed, and  
22 ~~such~~ **the** candidate ~~shall be~~ **is** the nominee for the judge of  
23 the circuit court. ~~and shall be so certified.~~ ~~As to such~~ **For**  
24 **that** office, there shall **not** be ~~no~~ **a** primary election and  
25 ~~this~~ **that** office ~~shall be~~ **is** omitted from the judicial  
26 primary ballot.

27       Sec. 416. (1) Except as otherwise provided in this section,

1 a judge or judges of the circuit court shall be elected in each  
 2 judicial circuit at the **odd year** general election in which judges  
 3 of the circuit court are to be elected as provided by law.

4 (2) If there are fewer nominees for the office of **circuit**  
 5 **court** judge ~~of the circuit court~~ than there are persons to be  
 6 elected at the ~~general November~~ **odd year general** election  
 7 because of the death or disqualification of a nominee less than  
 8 66 days before the ~~general November~~ **odd year general** election,  
 9 then a person shall not be elected at that ~~general November~~ **odd**  
 10 **year general** election to ~~any~~ **an** office of **circuit court** judge  
 11 ~~of the circuit court~~ for which there is no nominee.

12 Sec. 432. ~~A general nonpartisan primary election shall be~~  
 13 ~~held in every county of this state on the Tuesday succeeding the~~  
 14 ~~first Monday in August preceding every general November election~~  
 15 ~~at which judges of probate are to be elected~~ **Candidates for**  
 16 **judge of probate shall be nominated at the odd year primary**  
 17 **election**, at which time the qualified and registered electors may  
 18 vote for nonpartisan candidates for the office of **probate court**  
 19 judge. ~~of probate.~~ If, ~~upon the expiration of the time~~ **after**  
 20 **the deadline** for filing petitions or incumbency affidavits of  
 21 candidacy for the primary election of ~~said~~ probate judges in  
 22 ~~any~~ **a** county, ~~it shall appear that~~ there are not ~~to exceed~~  
 23 **more than** twice the number of candidates as there are persons to  
 24 be elected, then the county clerk shall certify to the county  
 25 board of election commissioners the name of ~~such~~ **the** candidate  
 26 for probate judge whose petitions have been properly filed and  
 27 ~~such~~ **the** candidate ~~shall be~~ **is** the nominee for the ~~judge of~~

1 probate **court judge**. ~~and shall be so certified. As to such~~ **For**  
 2 **that** office, there shall **not** be ~~no~~ a primary election and  
 3 ~~this~~ **that** office ~~shall be~~ **is** omitted from the judicial  
 4 primary ballot.

5 Sec. 467a. ~~Except as provided in section 467n, a general~~  
 6 ~~nonpartisan primary election shall be held in every district and~~  
 7 ~~election division of this state on the Tuesday succeeding the~~  
 8 ~~first Monday in August prior to the general election at which~~  
 9 ~~judges of the district court are elected~~ **Candidates for district**  
 10 **court judge shall be nominated at the odd year primary election,**  
 11 at which time the qualified and registered electors may vote for  
 12 nonpartisan candidates for **district court** judge. ~~of the district~~  
 13 ~~court.~~ If, ~~upon the expiration of the time~~ **after the deadline**  
 14 for filing petitions of candidacy for the primary election of the  
 15 **district court** judge ~~of the district court~~ in ~~any~~ **a** district  
 16 or election division, ~~it appears that~~ there are not ~~to exceed~~  
 17 **more than** twice the number of candidates as there are persons to  
 18 be elected, the secretary of state shall certify to the county  
 19 board of election commissioners the name of those candidates for  
 20 district court judge whose petitions or affidavits of candidacy  
 21 have been properly filed and those candidates shall be the  
 22 nominees for the judge of the district court. ~~and shall be so~~  
 23 ~~certified. As to~~ **For** that office, there shall not be a primary  
 24 election and ~~this~~ **that** office ~~shall be~~ **is** omitted from the  
 25 judicial primary ballot.

26 Sec. 498. (1) The governing body of a township, city, or  
 27 village may provide by resolution that in that township, city, or

1 village the clerk shall be at the clerk's office, or in some  
 2 other convenient place designated by the clerk, during the hours  
 3 designated by the governing body on the thirtieth day ~~preceding~~  
 4 **before** an election ~~or primary election~~ in the township, city,  
 5 or village, unless the thirtieth day falls on a Saturday, Sunday,  
 6 or legal holiday. ~~—, in which event~~ **If the thirtieth day falls**  
 7 **on a Saturday, Sunday, or legal holiday,** registration shall be  
 8 accepted during the same hours on the following day.

9 (2) In a township, city, or village in which the clerk does  
 10 not maintain regular daily office hours, the township board or  
 11 the legislative body of the city or village may require that the  
 12 clerk of the township, city, or village shall be at the clerk's  
 13 office or other designated place for the purpose of receiving  
 14 applications for registration on the days ~~which~~ **that** the board  
 15 or legislative body designates, but not more than 5 days before  
 16 the last day for registration.

17 (3) The clerk of each township, city, and village shall give  
 18 public notice of the days and hours that the clerk will be at the  
 19 clerk's office or other designated place for the purpose of  
 20 receiving registrations before an election ~~or primary election~~  
 21 by publication of the notice, except as provided in subsection  
 22 (4) and section 497(2), at least twice in a newspaper published  
 23 or of general circulation in the township, city, or village.  
 24 ~~and, if considered advisable by the~~ **The** township, city, or  
 25 village clerk ~~—,~~ **may give notice of the election** by posting  
 26 written or printed notices in at least 2 of the most conspicuous  
 27 places in each election precinct. Except as provided in

1 subsection (4), ~~and except for a notice of registration for a~~  
 2 ~~special election held pursuant to section 640,~~ the first  
 3 publication or posting shall be made not less than 10 days before  
 4 the last day for receiving registrations. If the notice of  
 5 registration is for a special election for purposes of voting  
 6 upon a proposal, ~~other than a special election held pursuant to~~  
 7 ~~section 640,~~ the proposal as it will appear on the ballot shall  
 8 be stated in the notice.

9 (4) Notice of registration for a school millage election that  
 10 will be held ~~pursuant to~~ **under** section 36 of the general  
 11 property tax act, ~~Act No. 206 of the Public Acts of 1893, as~~  
 12 ~~amended, being section 211.36 of the Michigan Compiled Laws,~~  
 13 ~~shall be~~ **1893 PA 206, MCL 211.36, is** required to be published  
 14 only once and shall be made not less than 5 days before the last  
 15 day for receiving registrations as provided in section 497a.

16 (5) A county clerk may enter into an agreement with the clerk  
 17 of 1 or more townships or cities in the county or the clerks of 1  
 18 or more cities or townships in a county may enter into an  
 19 agreement to jointly publish the notice required in subsection  
 20 (3). The notice shall be published in a newspaper of general  
 21 circulation in the cities and townships listed in the notice.

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. 570a. The official ~~primary~~ **odd year primary election**  
 26 ballot shall include candidates for township offices. Township  
 27 offices and candidates shall follow ~~state and~~ county offices

1 and candidates. Parties qualified to appear on the primary  
2 ballot for ~~state and~~ county offices and no others are qualified  
3 to appear and have the names of their candidates printed on the  
4 township portion of the primary ballot. Parties qualified to  
5 nominate candidates for ~~state and~~ county offices under the  
6 provisions of section 685 and no others are qualified to nominate  
7 candidates for township offices at the county caucuses provided  
8 in section 686a.

9 ~~All references in the election law to a February primary~~  
10 ~~shall be deemed to be references to the primary provided by the~~  
11 ~~election law to be held in August prior to the general November~~  
12 ~~election and all references to an April election shall be deemed~~  
13 ~~to be references to the general November election.~~

14 Sec. 616a. (1) The board of state canvassers shall canvass  
15 the returns received from the boards of county canvassers and  
16 certify the statewide and congressional district results of the  
17 presidential primary election to the secretary of state.

18 (2) The secretary of state shall certify the statewide and  
19 congressional district results of the presidential primary  
20 election to the chairperson of the state central committee of  
21 each participating political party.

22 ~~(3) Notwithstanding sections 831 and 847 or an~~  
23 ~~administrative rule promulgated pursuant to section 794c, after~~  
24 ~~the canvass by the board of state canvassers under subsection~~  
25 ~~(1), the secretary of state may authorize the immediate release~~  
26 ~~of all ballots, ballot boxes, voting machines, and equipment used~~  
27 ~~in each precinct of a city that conducts a city election in the~~

1 ~~first week of April if both of the following requirements are~~  
 2 ~~met:~~

3 ~~—— (a) The county clerk certifies that no defect in or~~  
 4 ~~mechanical malfunction of a voting machine, voting device,~~  
 5 ~~ballot, or other election equipment or material was discovered or~~  
 6 ~~alleged before the date of the completion of the state canvass.~~

7 ~~—— (b) The county clerk certifies that no other election for~~  
 8 ~~offices or questions appeared on the same election equipment used~~  
 9 ~~in the precinct for the presidential primary election.~~

10 Sec. 635. ~~It shall be lawful to call a~~ **A special election**  
 11 **for the submission of** ~~any~~ **a proposition** ~~on any regular or~~  
 12 ~~special primary day~~ **may be held on a regular election date or in**  
 13 **conjunction with a special election or special primary.**

14 Sec. 643. ~~At the general November elections~~ **each general**  
 15 **election**, the following officers shall be elected when required  
 16 by law:

17 (a) Presidential electors.

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

20 (c) A United States senator.

21 (d) In each congressional district, a representative in  
 22 congress.

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

24 (f) In each state representative district, a representative  
 25 in the state legislature.

26 (g) Justices of the supreme court.

27 ~~(h) Two members of the state board of education, except as~~



1 ~~provided in section 282a.~~

2 ~~—— (i) Two regents of the University of Michigan.~~

3 ~~—— (j) Two trustees of Michigan State University.~~

4 ~~—— (k) Two governors of Wayne State University.~~

5       **(h)** ~~—(l)—~~ In each ~~county or~~ district, judges of the court  
6 of appeals. ~~—, a judge or judges of the circuit court, a judge or~~  
7 ~~judges of probate, a judge or judges of the district court, a~~  
8 ~~prosecuting attorney, a sheriff, a treasurer, an auditor, a mine~~  
9 ~~inspector, a county road commissioner, a drain commissioner, a~~  
10 ~~surveyor, and, subject to section 200, a clerk and a register of~~  
11 ~~deeds or a clerk register.~~

12 ~~—— (m) Township officers.~~

13       **(i)** ~~—(n) Any other officers—~~ **Unless specifically provided**  
14 **otherwise in this act or another law of this state, any other**  
15 **officer** required by law to be elected.

16       **Sec. 644. At the education election day, the following**  
17 **officers shall be elected as required by law:**

18       **(a) Two members of the state board of education.**

19       **(b) Two regents of the University of Michigan.**

20       **(c) Two trustees of Michigan State University.**

21       **(d) Two governors of Wayne State University.**

22       **(e) Other officers as required by this act or another law of**  
23 **this state.**

24       **Sec. 644c. Notwithstanding ~~any~~ a law or charter to the**  
25 **contrary, except for a charter provision requiring an annual**  
26 **election on the November regular election date, the following**  
27 **officers shall be elected at the odd year general election:**

1 (a) All judicial officers other than justices of the supreme  
 2 court and judges of the court of appeals. ~~This provision shall~~  
 3 ~~not be effective unless a constitutional amendment authorizing~~  
 4 ~~the election of judges at odd numbered year elections is~~  
 5 ~~adopted.~~

6 (b) All elective city, **village, and township** officers,  
 7 including municipal judges, except as otherwise provided in this  
 8 act.

9 Sec. 644e. ~~All officers~~ **Except for a nonpartisan office,**  
 10 **an officer** required to be elected at the odd year general  
 11 election shall be nominated at the odd year primary ~~elections~~  
 12 ~~except where a city charter provides otherwise for city~~  
 13 ~~officers. Where a city~~ **election. Subject to section 382, if a**  
 14 charter provides for nomination by caucus or by filing a petition  
 15 or affidavit directly for the general election, or provides for  
 16 the election at the primary of a candidate who receives more than  
 17 50% of the votes cast for that office, the governing body by  
 18 ordinance may provide for a caucus date, filing date, or other  
 19 provisions to the extent necessary to be consistent with the odd  
 20 year **general** election requirement of this act and the intent of  
 21 the charter provisions.

22 Sec. 646a. (1) ~~If a local officer is to be elected at a~~  
 23 ~~general November election or on the first Monday of April in an~~  
 24 ~~odd numbered year, candidates for the local office shall be~~  
 25 ~~nominated in the manner provided by law or charter.~~ If the  
 26 candidates **for a local office** are to be nominated at a ~~fall~~  
 27 primary election, the primary shall be held on the same day as is

1 provided by law for holding the county or state primary election.  
 2 ~~prior to such election, except as provided in section 646b. If~~  
 3 ~~the candidates are to be elected in April, the primary shall be~~  
 4 ~~held on the third Monday in February.~~ If candidates for the  
 5 local office are to be nominated at caucuses, the caucuses shall  
 6 be held on a date prior to the date set for the above mentioned  
 7 primary election or on the Saturday ~~preceding~~ **before** the day of  
 8 the primary election as determined by the local legislative body  
 9 at least 20 days ~~preceding~~ **before** the date of the caucus. If  
 10 candidates are nominated by filing petitions or affidavits, they  
 11 shall be filed at a time provided by charter but not later than  
 12 the date of the primary. If a local primary election is to be  
 13 held on the same day as ~~any~~ **a** state or county primary election,  
 14 the last day for local candidates to file nominating petitions  
 15 ~~shall be~~ **is** the same as the last date to file petitions for  
 16 state and county offices. The names of all local candidates and  
 17 titles of office shall be certified to the county clerk by the  
 18 local clerk within 5 days after the last day for filing  
 19 petitions, and certification of nominees shall be made to ~~such~~  
 20 **that** clerk within 5 days after the date on which the primary or  
 21 caucus was held.

22 (2) If any local or county questions are to be voted on at  
 23 ~~any~~ **a** primary, special, or general election at which state  
 24 officers are to be voted for, the ballot wording of the question  
 25 shall be certified to the local or county clerk at least 70 days  
 26 ~~prior to such~~ **before the** election. If the wording is certified  
 27 to a clerk other than the county clerk, the clerk shall certify

1 the ballot wording to the county clerk at least 68 days ~~prior~~  
2 ~~to~~ **before** the election. Petitions to place any county or local  
3 questions on the ballot at the election shall be filed with the  
4 clerk at least 14 days before the date the ballot wording must be  
5 certified to the local clerk.

6 (3) The provisions of this section apply notwithstanding any  
7 provisions of law or charter to the contrary, unless an earlier  
8 date for the filing of affidavits or petitions, including  
9 nominating petitions, is provided in ~~any~~ a law or charter, in  
10 which case the earlier filing date is controlling.

11 **Sec. 659. (1) If a county, city, ward, township, or village**  
12 **is divided into 2 or more election precincts, the county, city,**  
13 **ward, township, or village election commissioners may, by**  
14 **resolution, consolidate the election precincts for a particular**  
15 **election that is not a general November election, a primary**  
16 **election immediately before a general November election, or other**  
17 **statewide or federal election. In making the determination to**  
18 **consolidate election precincts for a particular election, the**  
19 **election commission shall take into consideration the number of**  
20 **choices the voter must make, the percentage of registered voters**  
21 **who voted at the last similar election in the jurisdiction, and**  
22 **the intensity of the interest of the electors in the jurisdiction**  
23 **concerning the candidates and proposals to be voted upon.**

24 (2) A consolidation under this section shall be made not less  
25 than 60 days before a primary, general, or special election.

26 (3) Unless the polling places for the election precincts to  
27 be consolidated are located in the same building, when a county,

1 city, ward, township, or village consolidates election precincts  
2 for a particular election under subsection (1), the election  
3 commissioners or other designated election officials shall do  
4 both of the following:

5 (a) Provide notice to the registered electors of the affected  
6 election precincts of the consolidation of election precincts for  
7 the particular election and the location of the polling place for  
8 the election precinct or precincts for that election. Notice may  
9 be provided by mail or other method designed to provide actual  
10 notice to the registered electors.

11 (b) Post a written notice at each election precinct polling  
12 place stating the location of the consolidated election precinct  
13 polling place.

14 (4) If a county, city, ward, township, or village  
15 consolidates election precincts under this section, each affected  
16 election precinct shall be treated as a whole unit and shall not  
17 be divided during the consolidation.

18 Sec. 697. At the general November election, the names of  
19 the ~~several~~ offices to be voted for shall be placed on the  
20 ballot substantially in the following order in the years in which  
21 elections for ~~such~~ **those** offices are held: ~~Electors~~ **electors**  
22 of president and vice-president of the United States; governor  
23 and lieutenant governor; secretary of state; attorney general;  
24 United States senator; representative in congress; **and** senator  
25 and representative in the state legislature. ~~—~~ **For the**  
26 education election day, the names of the offices to be voted for  
27 shall be placed on the ballot substantially in the following

1 order in the years in which elections for those offices are  
 2 held: **school board members**; members of the state board of  
 3 education; regents of the University of Michigan; trustees of  
 4 Michigan State University; **and** governors of Wayne State  
 5 University. ~~—~~ **For the odd year general election, the names of**  
 6 **the offices to be voted for shall be placed on the ballot**  
 7 **substantially in the following order in the years in which**  
 8 **elections for those offices are held:** county executive;  
 9 prosecuting attorney; sheriff; clerk; treasurer; register of  
 10 deeds; auditor in counties electing an auditor; mine inspector in  
 11 counties electing a mine inspector; county road commissioners;  
 12 drain commissioners; ~~coroners;~~ and surveyor. The following  
 13 township officers shall be placed on the same ballot as above  
 14 described in substantially the following order in the year in  
 15 which elections for ~~such~~ **those** offices are held: supervisor,  
 16 clerk, treasurer, trustees, and constables.

17 Sec. 699. At the general November election, the names of  
 18 the ~~several~~ nonpartisan offices to be voted for shall be placed  
 19 on a separate judicial ballot containing no party designation in  
 20 the following order: ~~justices of the~~ supreme court ~~, judges~~  
 21 ~~of the~~ **justice and** court of appeals ~~, judges of the~~ **judge in**  
 22 **the years in which they are elected. For the odd year general**  
 23 **election, the names of the nonpartisan offices to be voted for**  
 24 **shall be placed on a separate judicial ballot containing no party**  
 25 **designation in the following order:** circuit court **judge**, ~~judges~~  
 26 ~~of the~~ probate court **judge**, and ~~circuit~~ **district** court  
 27 ~~commissioners~~ **judge** in the years in which they are elected.

1 Enacting section 1. Sections 5, 6, 8, 9a, 12, 282a, 325,  
2 640, 644a, 644b, 644j to 646, and 646b of the Michigan election  
3 law, 1954 PA 116, MCL 168.5, 168.6, 168.8, 168.9a, 168.12,  
4 168.282a, 168.325, 168.640, 168.644a, 168.644b, 168.644j to  
5 168.646, and 168.646b, are repealed.

6 Enacting section 2. This amendatory act takes effect  
7 January 1, 2005.

8 Enacting section 3. This amendatory act does not take  
9 effect unless all of the following bills of the 92nd Legislature  
10 are enacted into law:

11 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. 4830  
12 (request no. 02321'03).

13 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 4831  
14 (request no. 02322'03).

15 (c) Senate Bill No. \_\_\_\_\_ or House Bill No. 4829  
16 (request no. 02324'03).

17 Enacting section 4. This amendatory act does not take  
18 effect unless Senate Joint Resolution \_\_\_\_\_ or House Joint  
19 Resolution I (request no. 02320'03) of the 92nd Legislature  
20 becomes a part of the state constitution of 1963 as provided in  
21 section 1 of article XII of the state constitution of 1963.