

Act No. 99
Public Acts of 2015
Approved by the Governor
June 29, 2015
Filed with the Secretary of State
June 30, 2015
EFFECTIVE DATE: September 28, 2015

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2015**

Introduced by Reps. Lyons, Lauwers, Kesto, Heise, Leutheuser and Jacobsen

ENROLLED HOUSE BILL No. 4276

AN ACT to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending section 963 (MCL 168.963), as amended by 2012 PA 417.

The People of the State of Michigan enact:

Sec. 963. (1) Within 35 days after the filing of the recall petition, the filing official with whom the recall petition is filed shall make an official declaration of the sufficiency or insufficiency of the recall petition. If the recall petition is determined to be insufficient, the filing official shall notify the person or organization sponsoring the recall of the insufficiency of the recall petition. It is not necessary to give notification unless the person or organization sponsoring the recall files with the filing official a written notice of sponsorship and a mailing address.

(2) If a recall petition is filed under section 960, immediately upon determining that the recall petition is sufficient, but not later than 35 days after the date of filing of the recall petition, the county clerk with whom the recall petition is filed shall call the recall election and proceed under sections 971c to 975. The recall election shall be held not less than 95 days after the date the recall petition is filed and shall be held on the next May regular election date or the next November regular election date, whichever occurs first.

(3) Except as otherwise provided in subsection (4), if a recall petition is filed under section 959, the filing official with whom the recall petition is filed shall call the recall primary election and proceed under sections 970b to 970g. The recall primary election shall be held on the next regular election date that is not less than 95 days after the date the recall petition is filed.

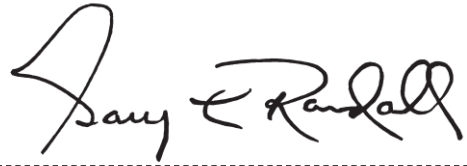
(4) If a recall petition is filed under section 959 demanding the recall of the governor, the filing official with whom the recall petition is filed shall call a special recall election and proceed under sections 975c to 975g. The special recall election shall be held not less than 95 days after the date the recall petition is filed and shall be held on the next May regular election date or the next August regular election date, whichever occurs first.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:

- (a) House Bill No. 4271.
- (b) House Bill No. 4272.
- (c) House Bill No. 4273.
- (d) House Bill No. 4274.
- (e) House Bill No. 4385.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Compiler's note: The bills referred to in enacting section 2 were enacted into law as follows:

House Bill No. 4271 was filed with the Secretary of State June 30, 2015, and became 2015 PA 98, Eff. Sept. 28, 2015.

House Bill No. 4272 was filed with the Secretary of State June 30, 2015, and became 2015 PA 100, Eff. Sept. 28, 2015.

House Bill No. 4273 was filed with the Secretary of State June 30, 2015, and became 2015 PA 101, Eff. Sept. 28, 2015.

House Bill No. 4274 was filed with the Secretary of State June 30, 2015, and became 2015 PA 102, Eff. Sept. 28, 2015.

House Bill No. 4385 was filed with the Secretary of State June 30, 2015, and became 2015 PA 103, Eff. Sept. 28, 2015.