

HOUSE BILL No. 4276

March 4, 2015, Introduced by Reps. Lyons, Lauwers, Kesto, Heise, Leutheuser and Jacobsen
and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 963 (MCL 168.963), as amended by 2012 PA 417.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

11 (2) If a recall petition is filed under section 960,

1 immediately upon determining that the recall petition is
2 sufficient, but not later than 35 days after the date of filing of
3 the recall petition, the county clerk with whom the recall petition
4 is filed shall call the recall election and proceed under sections
5 971c to 975. The recall election shall be held not less than 95
6 days after the date the recall petition is filed and shall be held
7 on the next May regular election date or the next November regular
8 election date, whichever occurs first.

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

16 (4) If a recall petition is filed under section 959 demanding
17 the recall of the governor, the filing official with whom the
18 recall petition is filed shall call a special recall election and
19 proceed under sections 975c to 975g. The special recall election
20 shall be held not less than 95 days after the date the recall
21 petition is filed and shall be held on the next ~~February~~ **MAY**
22 regular election date or the next August regular election date,
23 whichever occurs first.

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

26 Enacting section 2. This amendatory act does not take effect
27 unless all of the following bills of the 98th Legislature are

1 enacted into law:

2 (a) Senate Bill No. ____ or House Bill No. 4271 (request no.
3 01310'15).

4 (b) Senate Bill No. ____ or House Bill No. 4273 (request no.
5 01311'15).

6 (c) Senate Bill No. ____ or House Bill No. 4272 (request no.
7 01312'15).

8 (d) Senate Bill No. ____ or House Bill No. 4270 (request no.
9 01313'15).

10 (e) Senate Bill No. ____ or House Bill No. 4274 (request no.
11 01315'15).

12 (f) Senate Bill No. ____ or House Bill No. 4275 (request no.
13 01316'15).