

HOUSE BILL No. 4589

May 13, 2015, Introduced by Reps. Neeley, Phelps, Smiley, Garrett, Durhal, Byrd, Derek Miller, Lane, Driskell, Hoadley, Moss, Rutledge, Irwin, Dianda, Hovey-Wright, Love, Gay-Dagnogo, Geiss, Chang, Faris, Chirkun, Schor, Brunner, Santana, Vaupel, Graves and Callton and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 644f (MCL 168.644f), as amended by 2012 PA 276.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 644f. (1) ~~Until December 31, 2013, and except as provided~~
2 ~~in section 644e, nominating petitions for offices to be filled at~~
3 ~~the odd year general election shall be filed by 4 p.m. on the~~
4 ~~twelfth Tuesday before the odd year primary election. Beginning~~
5 ~~January 1, 2014, and except~~ **EXCEPT** as provided in **THIS SECTION AND**
6 section 644e, nominating petitions for offices to be filled at the
7 odd year general election shall be filed by 4 p.m. on the fifteenth
8 Tuesday before the odd year primary election. The place of filing
9 and the number of signatures shall be the same as is now required
10 by law for ~~such~~ **THOSE** offices.

11 (2) If a nonpartisan petition requirement is not contained in

1 law or charter, the minimum number of signatures shall be the
2 amount as provided for in section 544f.

3 (3) If, upon the expiration of the time for filing nonpartisan
4 petitions, not more than twice the number of candidates as there
5 are persons to be elected to that office have filed, the primary
6 for that office shall not be held and those persons filing valid
7 petitions shall be declared the nominees for the offices, unless a
8 city charter provides otherwise for city offices.

9 (4) UNTIL DECEMBER 31, 2015, THE NOMINATING PETITION FILING
10 DEADLINE FOR CANDIDATES FOR CITY OFFICES MAY BE ADJUSTED AS
11 PROVIDED IN SUBSECTION (5) IF ALL OF THE FOLLOWING OCCUR:

12 (A) THE CITY CLERK PUBLISHES A NOMINATING PETITION FILING
13 DEADLINE THAT IS DIFFERENT THAN THE FIFTEENTH TUESDAY BEFORE THE
14 ODD YEAR PRIMARY ELECTION AND THE NOMINATING PETITION FILING
15 DEADLINE PUBLISHED BY THE CITY CLERK IS BETWEEN THE FIFTEENTH
16 TUESDAY AND THE TWELFTH TUESDAY BEFORE THE ODD YEAR PRIMARY
17 ELECTION.

18 (B) THE CITY CLERK DID NOT PUBLICLY CORRECT THE FILING
19 DEADLINE ERROR AT LEAST 2 WEEKS BEFORE THE FIFTEENTH TUESDAY BEFORE
20 THE ODD YEAR PRIMARY ELECTION.

21 (C) ONE OR MORE CANDIDATES FOR CITY OFFICES IN THAT CITY
22 RELIED UPON THE INCORRECT NOMINATING PETITION FILING DEADLINE AND
23 FAILED TO FILE NOMINATING PETITIONS BY THE FIFTEENTH TUESDAY BEFORE
24 THE ODD YEAR PRIMARY ELECTION.

25 (5) IF THE BUREAU OF ELECTIONS CONFIRMS THAT ALL OF THE
26 CONDITIONS SET FORTH IN SUBSECTION (4) ARE MET, THE BUREAU OF
27 ELECTIONS MAY AUTHORIZE THE CITY CLERK TO ADJUST THE NOMINATING

1 PETITION FILING DEADLINE FOR THAT ODD YEAR PRIMARY ELECTION FROM
2 THE FIFTEENTH TUESDAY BEFORE THE ODD YEAR PRIMARY ELECTION TO THE
3 INCORRECTLY PUBLISHED NOMINATING PETITION FILING DEADLINE.