

HOUSE BILL No. 5744

June 8, 2016, Introduced by Rep. Nesbitt and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 3, 52, 53, 92, 93, 132, 133, 162, 163, 192,
193, 223, 224, 253, 254, 322, 345, 349, 370, 409a, 412, 426a, 426c,
426d, 432, 433, 467a, 534, 535, 551, 559, 591, 592, 598, 611, 623a,
641, 642, 642a, 644f, 686a, 737a, 821, 963, and 970e (MCL 168.3,
168.52, 168.53, 168.92, 168.93, 168.132, 168.133, 168.162, 168.163,
168.192, 168.193, 168.223, 168.224, 168.253, 168.254, 168.322,
168.345, 168.349, 168.370, 168.409a, 168.412, 168.426a, 168.426c,
168.426d, 168.432, 168.433, 168.467a, 168.534, 168.535, 168.551,
168.559, 168.591, 168.592, 168.598, 168.611, 168.623a, 168.641,
168.642, 168.642a, 168.644f, 168.686a, 168.737a, 168.821, 168.963,
and 168.970e), sections 3 and 821 as amended by 2003 PA 302,
sections 53, 93, 133, 163, 193, 224, 254, 349, 426d, 433, 551, and
737a as amended by 2012 PA 276, section 322 as amended by 2015 PA

103, section 370 as amended by 2014 PA 94, section 426c as amended by 2013 PA 51, section 467a as amended by 1981 PA 4, sections 534, 592, 598, and 623a as amended by 1988 PA 116, section 591 as amended by 2012 PA 128, section 611 as amended by 1996 PA 583, section 641 as amended by 2015 PA 197, section 642 as amended by 2015 PA 100, section 642a as amended by 2012 PA 523, section 644f as amended by 2015 PA 43, section 686a as amended by 1999 PA 216, section 963 as amended by 2015 PA 99, and section 970e as amended by 2015 PA 102.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act:

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

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

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

5 (d) "Name that was formally changed" means a name changed by a
6 proceeding under chapter XI of the probate code of 1939, 1939 PA
7 288, MCL 711.1 to 711.3, or former 1915 PA 314, or through a
8 similar, statutorily sanctioned procedure under the law of another
9 state or country.

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

12 (f) "Odd year primary election" means the election held on the
13 ~~August~~**JUNE** regular election date in an odd numbered year.

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

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

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

17 (j) "Regular election" means an election held on a regular

1 election date to elect an individual to, or nominate an individual
2 for, elective office in the regular course of the terms of that
3 elective office.

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

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

7 Sec. 52. A general primary election of all political parties
8 shall be held in every election precinct in this state on the
9 Tuesday ~~succeeding~~ **AFTER** the first Monday in ~~August preceding~~ **JUNE**
10 **BEFORE** every general November election in which a governor is to be
11 elected, at which time the qualified and registered electors of
12 each political party shall vote for party candidates for the office
13 of governor. This section ~~shall~~ **DOES** not apply to parties required
14 to nominate candidates at caucuses or conventions.

15 Sec. 53. To obtain the printing of the name of a person as a
16 candidate for nomination by a political party for the office of
17 governor under a particular party heading ~~upon~~ **ON** the official
18 primary ballots, there shall be filed with the secretary of state
19 nominating petitions signed by a number of qualified and registered
20 electors residing in this state as determined under section 544f.
21 Nominating petitions shall be signed by at least 100 registered
22 resident electors in each of at least 1/2 of the congressional
23 districts of the state. Nominating petitions shall be in the form
24 as prescribed in section 544c. ~~Until December 31, 2013, nominating~~
25 ~~petitions shall be received by the secretary of state for filing in~~
26 ~~accordance with this act up to 4 p.m. of the twelfth Tuesday before~~
27 ~~the August primary. Beginning January 1, 2014, nominating~~

1 **NOMINATING** petitions shall be received by the secretary of state
 2 for filing in accordance with this act up to 4 p.m. of the
 3 fifteenth Tuesday before the ~~August~~**JUNE** primary.

4 Sec. 92. A general primary election of all political parties
 5 shall be held in every election precinct in this state on the
 6 Tuesday ~~succeeding~~**AFTER** the first Monday in ~~August~~**preceeding****JUNE**
 7 **BEFORE** every general November election, at which time the qualified
 8 and registered electors of each political party may vote for a
 9 party candidate for the office of United States senator, to be
 10 filled at ~~said~~**THE** election. ~~÷ Provided, That this~~**THIS** section
 11 ~~shall~~**DOES** not apply to parties required to nominate candidates at
 12 caucuses or conventions. ~~÷ Provided further, That no~~**A** nomination
 13 for the office of United States senator shall **NOT** be made unless
 14 ~~such~~**THE** official is to be elected at the next succeeding general
 15 November election.

16 Sec. 93. In order for the name of a person as a candidate for
 17 nomination by a political party for the office of United States
 18 senator to appear under a particular party heading on the official
 19 primary ballot, a nominating petition shall be filed with the
 20 secretary of state. The nominating petition shall have been signed
 21 by a number of qualified and registered electors residing within
 22 this state as determined under section 544f. The nominating
 23 petition shall be signed by at least 100 qualified and registered
 24 electors in each of at least 1/2 of the congressional districts of
 25 this state. Nominating petitions shall be in the form as prescribed
 26 in section 544c. ~~Until December 31, 2013, the nominating petition~~
 27 ~~shall be filed with the secretary of state no later than 4 p.m. of~~

~~the twelfth Tuesday before the August primary. Beginning January 1, 2014, the~~ **THE** nominating petition shall be filed with the secretary of state no later than 4 p.m. of the fifteenth Tuesday before the ~~August~~ **JUNE** primary.

Sec. 132. A general primary election of all political parties shall be held in every election precinct in this state on the Tuesday ~~succeeding~~ **AFTER** the first Monday in ~~August~~ **preceding JUNE** **BEFORE** every general November election, at which time the qualified and registered electors of each political party within every congressional district shall vote for party candidates for the office of representative in ~~congress~~ **CONGRESS** to be filled at ~~said~~ **THE** election. ~~÷ Provided, That this~~ **THIS** section shall ~~shall~~ **DOES** not apply to parties required to nominate candidates at caucuses or conventions.

Sec. 133. In order for the name of a person as a candidate for nomination by a political party for the office of representative in ~~congress~~ **CONGRESS** to appear under a particular party heading on the official primary ballot in the election precincts of a congressional district, a nominating petition shall have been signed by a number of qualified and registered electors residing in the district as determined under section 544f. ~~Until December 31, 2013, if the congressional district comprises more than 1 county, the nominating petition shall be filed with the secretary of state no later than 4 p.m. of the twelfth Tuesday before the August~~ primary. Beginning January 1, 2014, if **IF** the congressional district comprises more than 1 county, the nominating petition shall be filed with the secretary of state no later than 4 p.m. of

1 the fifteenth Tuesday before the ~~August~~ **JUNE** primary. ~~Until~~
 2 ~~December 31, 2013, if the congressional district is within 1~~
 3 ~~county, the nominating petition shall be filed with the county~~
 4 ~~clerk of that county no later than 4 p.m. of the twelfth Tuesday~~
 5 ~~before the August primary. Beginning January 1, 2014, if~~ **IF** the
 6 congressional district is within 1 county, the nominating petition
 7 shall be filed with the county clerk of that county no later than 4
 8 p.m. of the fifteenth Tuesday before the ~~August~~ **JUNE** primary.
 9 Nominating petitions shall be in the form as prescribed in section
 10 544c.

11 Sec. 162. A general primary election of all political parties
 12 shall be held in every election precinct in this state on the
 13 Tuesday ~~succeeding~~ **AFTER** the first Monday in ~~August~~ **preceding** **JUNE**
 14 **BEFORE** every general November election, at which time the qualified
 15 and registered electors of each political party within every
 16 senatorial district and every representative district shall vote
 17 for party candidates for the offices of state senator and
 18 representative, to be filled at the November election. ~~÷ Provided,~~
 19 ~~That this~~ **THIS** section shall **DOES** not apply to parties required to
 20 nominate candidates at caucuses or conventions.

21 Sec. 163. (1) To obtain the printing of the name of a person
 22 as a candidate for nomination by a political party for the office
 23 of state senator or representative under a particular party heading
 24 upon the official primary ballots in the various election precincts
 25 of a district, there shall be filed nominating petitions signed by
 26 a number of qualified and registered electors residing in the
 27 district as determined under section 544f. If the district

1 comprises more than 1 county, the nominating petitions shall be
2 filed with the secretary of state. If the district comprises 1
3 county or less, the nominating petitions shall be filed with the
4 county clerk of that county. Nominating petitions shall be in the
5 form prescribed in section 544c. ~~Until December 31, 2013, the~~
6 ~~secretary of state and the various county clerks shall receive~~
7 ~~nominating petitions for filing in accordance with this act up to 4~~
8 ~~p.m. of the twelfth Tuesday before the August primary. Beginning~~
9 ~~January 1, 2014, the~~ **THE** secretary of state and the various county
10 clerks shall receive nominating petitions for filing in accordance
11 with this act up to 4 p.m. of the fifteenth Tuesday before the
12 ~~August~~ **JUNE** primary.

13 (2) In lieu of filing a nominating petition, a filing fee of
14 \$100.00 may be paid to the county clerk or, for a candidate in a
15 district comprising more than 1 county, to the secretary of state.
16 Payment of the fee and certification of the name of the candidate
17 paying the fee shall be governed by the same provisions as in the
18 case of nominating petitions. The fee shall be deposited in the
19 general fund of the county and shall be refunded to candidates who
20 are nominated and to an equal number of candidates who receive the
21 next highest number of votes in the primary election. If 2 or more
22 candidates tie in having the lowest number of votes allowing a
23 refund, the sum of \$100.00 shall be divided among them. A refund of
24 a deposit shall not be made to a candidate who withdraws as a
25 candidate.

26 Sec. 192. A general primary election of all political parties
27 shall be held in every county of this state on the Tuesday

1 ~~succeeding~~ **AFTER** the first Monday in ~~August~~ ~~preceding~~ **JUNE BEFORE**
2 the general November election at which the officers named in
3 section 191 ~~of this act~~ are to be elected, at which time the
4 qualified and registered electors of each political party may vote
5 for party candidates for the offices. This section ~~shall~~ **DOES** not
6 apply to parties required to nominate candidates at caucuses or
7 conventions.

8 Sec. 193. (1) To obtain the printing of the name of a person
9 as a candidate for nomination by a political party for an office
10 named in section 191 under a particular party heading ~~upon~~ **ON** the
11 official primary ballots, there shall be filed with the county
12 clerk nominating petitions signed by a number of qualified and
13 registered electors residing within the county as determined under
14 section 544f. Nominating petitions shall be in the form prescribed
15 in section 544c. ~~Until December 31, 2013, the county clerk shall~~
16 ~~receive nominating petitions up to 4 p.m. of the twelfth Tuesday~~
17 ~~before the August primary. Beginning January 1, 2014, the~~ **THE**
18 county clerk shall receive nominating petitions up to 4 p.m. of the
19 fifteenth Tuesday before the ~~August~~ **JUNE** primary.

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

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

11 Sec. 223. A primary of all political parties shall be held on
 12 the Tuesday ~~succeeding~~ **AFTER** the first Monday in ~~August~~ ~~preceding~~
 13 **JUNE BEFORE** the general November election in the year ~~1956~~ **2020** and
 14 every fourth year thereafter, at which time the qualified and
 15 registered electors of each political party may vote for party
 16 candidates for nomination for the office of county auditor. A
 17 ~~primary of all political parties shall be held on the third Monday~~
 18 ~~in February preceding the general April election in the year 1957~~
 19 ~~and every fourth year thereafter, and in the year 1959 and every~~
 20 ~~fourth year thereafter, at which time the qualified and registered~~
 21 ~~electors of each political party may vote for party candidates for~~
 22 ~~nomination for the office of county auditor: Provided, That this~~
 23 **THIS** section ~~shall~~ **DOES** not apply to parties required to nominate
 24 candidates at conventions.

25 Sec. 224. (1) To obtain the printing of the name of a person
 26 as candidate for nomination by a political party for the office of
 27 county auditor under a particular party heading ~~upon~~ **ON** the

1 official primary ballots, there shall be filed with the county
2 clerk nominating petitions signed by a number of qualified and
3 registered electors residing within the county as determined under
4 section 544f. Nominating petitions shall be in the form prescribed
5 in section 544c. ~~Until December 31, 2013, the county clerk shall~~
6 ~~receive nominating petitions up to 4 p.m. of the twelfth Tuesday~~
7 ~~before the August primary. Beginning January 1, 2014, the~~ **THE**
8 county clerk shall receive nominating petitions up to 4 p.m. of the
9 fifteenth Tuesday before the ~~August~~ **JUNE** primary.

10 (2) To obtain the printing of the name of the candidate of a
11 political party under the particular party's heading ~~upon~~ **ON** the
12 primary election ballots in the various voting precincts of the
13 county, there may be filed by the candidate, in lieu of filing
14 nominating petitions, a filing fee of \$100.00 to be paid to the
15 county clerk. Payment of the fee and certification of the name of
16 the candidate paying the fee shall be governed by the same
17 provisions as in the case of nominating petitions. The fee shall be
18 deposited in the general fund of the county and shall be refunded
19 to candidates who are nominated and to an equal number of
20 candidates who received the next highest number of votes in the
21 primary election. If 2 or more candidates tie in having the lowest
22 number of votes allowing a refund, the sum of \$100.00 shall be
23 divided among them. The deposits of all other defeated candidates
24 and of candidates who withdraw or are disqualified shall be
25 forfeited and the candidates shall be notified of the forfeitures.
26 Deposits forfeited under this section shall be paid into and
27 credited to the general fund of the county.

1 Sec. 253. A general primary election of all political parties
2 shall be held on the Tuesday ~~succeeding~~ **AFTER** the first Monday in
3 ~~August preceding~~ **JUNE BEFORE** every general November election in
4 which county road commissioners are elected, at which time the
5 qualified and registered electors of each political party may vote
6 for party candidates for the office of county road commissioner.

7 Sec. 254. (1) To obtain the printing of the name of a person
8 as a candidate for nomination by a political party for the office
9 of county road commissioner under a particular party heading ~~upon~~
10 **ON** the official primary ballots, there shall be filed with the
11 county clerk of the county nominating petitions signed by a number
12 of qualified and registered electors residing within the county as
13 determined under section 544f. Nominating petitions shall be in the
14 form prescribed in section 544c. ~~Until December 31, 2013, the~~
15 ~~county clerk shall receive nominating petitions up to 4 p.m. of the~~
16 ~~twelfth Tuesday before the August primary in which county road~~
17 ~~commissioners are to be elected. Beginning January 1, 2014, the~~ **THE**
18 county clerk shall receive nominating petitions up to 4 p.m. of the
19 fifteenth Tuesday before the ~~August~~ **JUNE** primary in which county
20 road commissioners are to be elected.

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

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

12 Sec. 322. If a ~~charter~~**CITY** provides for nomination by caucus
13 or by filing a petition or affidavit directly for the ~~May~~**MARCH**
14 election, the candidate filing deadline or certification deadline
15 is 4 p.m. on the fifteenth Tuesday before the ~~May~~**MARCH** election.

16 Sec. 345. A primary of all political parties shall be held in
17 every organized township of this state on the Tuesday ~~succeeding~~
18 **AFTER** the first Monday in ~~August~~**preceding JUNE BEFORE** every
19 general November election, at which time the qualified and
20 registered electors of each political party may vote for party
21 candidates for township offices.

22 Sec. 349. (1) To obtain the printing of the name of a person
23 as a candidate for nomination by a political party for a township
24 office under the particular party heading ~~upon~~**ON** the official
25 primary ballots, there shall be filed with the township clerk
26 nominating petitions signed by a number of qualified and registered
27 electors residing within the township as determined under section

1 544f. Nominating petitions shall be in the form prescribed in
2 section 544c. ~~Until December 31, 2013, the township clerk shall~~
3 ~~receive nominating petitions up to 4 p.m. of the twelfth Tuesday~~
4 ~~before the August primary. Beginning January 1, 2014, the~~ **THE**
5 township clerk shall receive nominating petitions up to 4 p.m. of
6 the fifteenth Tuesday before the ~~August~~ **JUNE** primary.

7 (2) Within 4 days after the last day for filing nominating
8 petitions, the township clerk shall deliver to the county clerk a
9 list setting forth the name, address, and political affiliation and
10 office sought of each candidate who has qualified for a position on
11 the primary ballot.

12 Sec. 370. (1) Except as provided in section 370a or subsection
13 (2), if a vacancy occurs in an elective or appointive township
14 office, the vacancy shall be filled by appointment by the township
15 board, and the person appointed shall hold the office for the
16 remainder of the unexpired term.

17 (2) If 1 or more vacancies occur in an elective township
18 office that cause the number of members serving on the township
19 board to be less than the minimum number of board members that is
20 required to constitute a quorum for the transaction of business by
21 the board, the board of county election commissioners shall make
22 temporary appointment of the number of members required to
23 constitute a quorum for the transaction of business by the township
24 board. An official appointed under this subsection shall hold the
25 office only until the official's successor is elected or appointed
26 and qualified. An official who is temporarily appointed under this
27 subsection shall not vote on the appointment of himself or herself

1 to an elective or appointive township office.

2 (3) If a township official submits a written resignation from
3 an elective township office, for circumstances other than a
4 resignation related to a recall election, that specifies a date and
5 time when the resignation is effective, the township board, within
6 30 days before that effective date and time, may appoint a person
7 to fill the vacancy at the effective date and time of the
8 resignation. The resigning official shall not vote on the
9 appointment.

10 (4) Except as provided in subsection (5), if the township
11 board does not make an appointment under subsection (3), or if a
12 vacancy occurs in an elective township office and the vacancy is
13 not filled by the township board or the board of county election
14 commissioners within 45 days after the beginning of the vacancy,
15 the county clerk of the county in which the township is located
16 shall call a special election within 5 calendar days to fill the
17 vacancy. Not later than 4 p.m. on the fifteenth calendar day after
18 the county clerk calls a special election under this section, the
19 township party committee for each political party in the township
20 shall submit a nominee to fill the vacancy. The special election
21 shall be held on the next regular election date that is not less
22 than 60 days after the deadline for submitting nominees under this
23 section or 70 days after the deadline for submitting nominees under
24 this section if the next regular election date is the even year
25 ~~August~~ **JUNE** primary or the general November election. Notice of the
26 special election shall be given in the same manner required by
27 section 653a. A special election called under this section does not

1 affect the rights of a qualified elector to register for any other
 2 election. A person elected to fill a vacancy shall serve for the
 3 remainder of the unexpired term.

4 (5) Subsection (4) does not apply to the office of township
 5 constable. If a vacancy occurs in the office of township constable,
 6 the township board shall determine if and when the vacancy shall be
 7 filled by appointment. If the township board does not fill the
 8 vacancy by appointment, the office of township constable shall
 9 remain vacant until the next general or special election in which
 10 township offices are filled.

11 Sec. 409a. A general nonpartisan primary election shall be
 12 held in every appellate court district of this state on the Tuesday
 13 ~~succeeding~~ **AFTER** the first Monday in ~~August~~ ~~preceding~~ **JUNE BEFORE**
 14 every general November election in which judges of the court of
 15 appeals are to be elected, at which time the qualified and
 16 registered electors may vote for nonpartisan candidates for the
 17 office of judge of the court of appeals. ~~± Provided, however, That~~
 18 ~~if,~~ **IF**, upon expiration of the time for filing petitions for the
 19 primary election of ~~said~~ **THE** judge of the court of appeals in any
 20 appellate court district, it ~~shall appear~~ **APPEARS** that there are
 21 not to exceed twice the number of candidates as there are persons
 22 to be elected, then the secretary of state shall certify to the
 23 county board or boards of election commissioners the names of ~~such~~
 24 **THE** candidates for court of appeals judge whose nominating
 25 petitions, filing fee, or affidavit of candidacy have been properly
 26 filed, and ~~such~~ **THOSE** candidates shall be the nominees for judge of
 27 the court of appeals and shall be so certified. As to ~~such~~ **THAT**

1 office, there shall **NOT** be ~~no-A~~ primary election and this office
2 shall be omitted from the judicial primary ballot.

3 Sec. 412. A general nonpartisan primary election shall be held
4 in every county of this state on the Tuesday ~~succeeding~~ **AFTER** the
5 first Monday in ~~August prior to~~ **JUNE BEFORE** the general election at
6 which judges of the circuit court are elected, at which time the
7 qualified and registered electors may vote for nonpartisan
8 candidates for the office of judge of the circuit court. If, upon
9 the expiration of the time for filing petitions or incumbency
10 affidavits of candidacy for the primary election of ~~said~~ **THE** judge
11 of the circuit court in any judicial circuit, it ~~shall appear~~
12 **APPEARS** that there are not to exceed twice the number of candidates
13 as there are persons to be elected, then the secretary of state
14 shall certify to the county board of election commissioners the
15 name of ~~such~~ **THE** candidate for circuit court judge whose petitions
16 or affidavits have been properly filed, and ~~such~~ **THE** candidate
17 shall be the nominee for the judge of the circuit court and shall
18 be so certified. As to ~~such~~ **THAT** office, there shall **NOT** be ~~no-A~~
19 primary election and this office shall be omitted from the judicial
20 primary ballot.

21 Sec. 426a. In every city having a municipal court of record
22 having general criminal jurisdiction over felonies and having a
23 population of ~~1,000,000~~ **600,000** or more, candidates for the office
24 of a judge of the municipal court shall be nominated at the ~~August~~
25 **JUNE** primary for state offices and elected at the general election
26 in even years.

27 Sec. 426c. (1) A general nonpartisan primary election shall be

1 held in every municipality described in section 426a on the Tuesday
2 after the first Monday in ~~August~~**JUNE** before a general November
3 election.

4 (2) At the general nonpartisan primary election, judges of the
5 municipal courts of record are to be elected and the qualified and
6 registered voters may vote for nonpartisan candidates for the
7 office of judge of the municipal court of record.

8 (3) If upon the expiration of the time for filing petitions
9 for the primary election of the municipal judge or judges in any
10 municipality there are not to exceed twice the number of candidates
11 than persons to be elected, then the city clerk shall certify
12 through the board of county canvassers the names of the candidates
13 for judge of the municipal court of record whose petitions have
14 been properly filed. These candidates shall be the certified
15 nominees for judges of the municipal court of record. In addition,
16 there shall not be a primary election for this office, and it shall
17 be omitted from the official primary ballot.

18 Sec. 426d. (1) To obtain the printing of the name of a person
19 on the ballot as a candidate for the office of judge of the
20 municipal court of record, there shall be filed with the city clerk
21 nominating petitions containing the signatures, addresses, and
22 dates of signing of a number of qualified and registered electors
23 residing in that city as determined under section 544f. ~~Until~~
24 ~~December 31, 2013, the city clerk shall receive nominating~~
25 ~~petitions up to 4 p.m. of the fourteenth Tuesday before the August~~
26 ~~primary. Beginning January 1, 2014, the~~**THE** city clerk shall
27 receive nominating petitions up to 4 p.m. of the fifteenth Tuesday

1 before the ~~August~~**JUNE** primary. The provisions of sections 544a and
2 544b apply.

3 (2) An incumbent judge of the municipal court of record may
4 become a candidate in the primary election for the office of which
5 the judge is the incumbent by filing, with the city clerk, an
6 affidavit of candidacy not less than 134 days before the date of
7 the primary election. The affidavit of candidacy shall contain
8 statements that the affiant is an incumbent judge of the municipal
9 court of record, is domiciled within the city, will not attain the
10 age of 70 by the date of election, and is a candidate for election
11 to the office of judge of the municipal court of record.

12 (3) Nominating petitions filed under this section are valid
13 only if they clearly indicate for which of the following offices
14 the candidate is filing, consistent with section 426k(3):

15 (a) An unspecified existing judgeship for which the incumbent
16 judge is seeking election.

17 (b) An unspecified existing judgeship for which the incumbent
18 judge is not seeking election.

19 (c) A new judgeship.

20 (4) A person who files nominating petitions for election to
21 more than 1 municipal court of record judgeship shall have not more
22 than 3 days following the close of filing to withdraw from all but
23 1 filing.

24 (5) In a primary and general election for 2 or more judgeships
25 where more than 1 of the categories in subsection (3) could be
26 selected, a candidate shall apply to the bureau of elections for a
27 written statement of office designation to correspond to the

1 judgeship sought by the candidate. The office designation provided
2 by the secretary of state shall be included in the heading of all
3 nominating petitions. Nominating petitions containing an improper
4 office designation are invalid.

5 (6) The secretary of state shall issue an office designation
6 of incumbent position for any judgeship for which the incumbent
7 judge is eligible to seek reelection. If an incumbent judge does
8 not file an affidavit of candidacy by the deadline, the secretary
9 of state shall notify all candidates for that office that a
10 nonincumbent position exists. All nominating petitions circulated
11 for the nonincumbent position subsequent to the deadline shall bear
12 an office designation of nonincumbent position. All signatures
13 collected before the affidavit of candidacy filing deadline may be
14 filed with the nonincumbent nominating petitions.

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

1 filed, and ~~such~~ **THE** candidate shall be the nominee for the judge of
2 probate and shall be so certified. As to ~~such~~ **THAT** office, there
3 shall **NOT** be ~~no~~ **A** primary election and this office shall be omitted
4 from the judicial primary ballot.

5 Sec. 433. (1) Except as otherwise provided in this subsection,
6 to obtain the printing of the name of a person as a candidate for
7 nomination for the office of judge of probate ~~upon~~ **ON** the official
8 nonpartisan primary ballots, there shall be filed with the county
9 clerk of each county nominating petitions containing the
10 signatures, addresses, and dates of signing of a number of
11 qualified and registered electors residing in the county as
12 determined under section 544f or by the filing of an affidavit
13 according to section 433a. In the case of a probate court district,
14 to obtain the printing of the name of a person as a candidate for
15 nomination for the office of judge of probate ~~upon~~ **ON** the official
16 nonpartisan primary ballots, there shall be filed with the
17 secretary of state nominating petitions containing the signatures,
18 addresses, and dates of signing of a number of qualified and
19 registered electors residing in the probate court district as
20 determined under section 544f or by the filing of an affidavit
21 according to section 433a. ~~Until December 31, 2013, the county~~
22 ~~clerk or, in the case of a probate court district, the secretary of~~
23 ~~state shall receive nominating petitions up to 4 p.m. on the~~
24 ~~fourteenth Tuesday before the August primary. Beginning January 1,~~
25 ~~2014, the~~ **THE** county clerk or, in the case of a probate court
26 district, the secretary of state shall receive nominating petitions
27 up to 4 p.m. on the fifteenth Tuesday before the ~~August~~ **JUNE**

1 primary. The provisions of sections 544a and 544b apply.

2 (2) Nominating petitions filed under this section are valid
3 only if they clearly indicate for which of the following offices
4 the candidate is filing, consistent with section 435a(2):

5 (a) An unspecified existing judgeship for which the incumbent
6 judge is seeking election.

7 (b) An unspecified existing judgeship for which the incumbent
8 judge is not seeking election.

9 (c) A new judgeship.

10 (3) A person who files nominating petitions for election to
11 more than 1 probate judgeship shall have not more than 3 days
12 following the close of filing to withdraw from all but 1 filing.

13 (4) In a primary and general election for 2 or more judgeships
14 where more than 1 of the categories in subsection (2) could be
15 selected, a candidate shall apply to the bureau of elections for a
16 written statement of office designation to correspond to the
17 judgeship sought by the candidate. The office designation provided
18 by the secretary of state shall be included in the heading of all
19 nominating petitions. Nominating petitions containing an improper
20 office designation are invalid.

21 (5) The secretary of state shall issue an office designation
22 of incumbent position for any judgeship for which the incumbent
23 judge is eligible to seek reelection. If an incumbent judge does
24 not file an affidavit of candidacy by the deadline, the secretary
25 of state shall notify all candidates for that office that a
26 nonincumbent position exists. All nominating petitions circulated
27 for the nonincumbent position after the deadline shall bear an

1 office designation of nonincumbent position. All signatures
2 collected before the affidavit of candidacy filing deadline may be
3 filed with the nonincumbent nominating petitions.

4 (6) If a candidate for nomination for the office of judge of
5 probate receives incorrect or inaccurate written information from
6 the county clerk or, in the case of a probate court district, the
7 secretary of state concerning the number of nominating petition
8 signatures required under section 544f and that incorrect or
9 inaccurate written information is published or distributed by the
10 county clerk or, in the case of a probate court district, the
11 secretary of state, the candidate may bring an action in a court of
12 competent jurisdiction for equitable relief. A court may grant
13 equitable relief to a candidate under this subsection if all of the
14 following occur:

15 (a) The candidate brings the action for equitable relief
16 within 6 days after the candidate is notified by the county clerk
17 or, in the case of a probate court district, the secretary of state
18 that the candidate's nominating petition contains insufficient
19 signatures.

20 (b) The candidate files an affidavit certifying that he or she
21 contacted and received from the county clerk or, in the case of a
22 probate court district, the secretary of state incorrect or
23 inaccurate written information concerning the number of nominating
24 petition signatures required under section 544f.

25 (c) The county clerk or, in the case of a probate court
26 district, the secretary of state published or distributed the
27 incorrect or inaccurate written information concerning the number

1 of nominating petition signatures required under section 544f
2 before the filing deadline under subsection (1).

3 (d) The county clerk or, in the case of a probate court
4 district, the secretary of state did not inform the candidate at
5 least 14 days before the filing deadline under subsection (1) that
6 incorrect or inaccurate written information concerning the number
7 of nominating petition signatures required under section 544f had
8 been published or distributed.

9 (7) If a court grants equitable relief to a candidate under
10 subsection (6), the candidate shall be given the opportunity to
11 obtain additional nominating petition signatures to meet the
12 requirements under section 544f. The additional nominating petition
13 signatures obtained by a candidate shall be filed with the county
14 clerk or, in the case of a probate court district, the secretary of
15 state no later than 4 p.m. on the fifth business day after the date
16 that the court order granting equitable relief is filed.

17 (8) The nominating petition signatures filed pursuant to this
18 section are subject to challenge as provided in section 552.

19 Sec. 467a. Except as provided in section 467n, a general
20 nonpartisan primary election shall be held in every district and
21 election division of this state on the Tuesday ~~succeeding~~ **AFTER** the
22 first Monday in ~~August prior to~~ **JUNE BEFORE** the general election at
23 which judges of the district court are elected, at which time the
24 qualified and registered electors may vote for nonpartisan
25 candidates for judge of the district court. If, upon the expiration
26 of the time for filing petitions of candidacy for the primary
27 election of the judge of the district court in any district or

1 election division, it appears that there are not to exceed twice
 2 the number of candidates as there are persons to be elected, the
 3 secretary of state shall certify to the county board of election
 4 commissioners the name of those candidates for district court judge
 5 whose petitions or affidavits of candidacy have been properly filed
 6 and those candidates shall be the nominees for the judge of the
 7 district court and shall be so certified. As to that office, there
 8 shall not be a primary election and this office shall be omitted
 9 from the judicial primary ballot.

10 Sec. 534. A general primary of all political parties except as
 11 provided in sections 532 and 685 shall be held in every election
 12 precinct in this state on the Tuesday after the first Monday in
 13 ~~August~~ **JUNE** before every general November election, at which time
 14 the qualified and registered voters of each political party may
 15 vote for party candidates for the office of governor, United States
 16 senator, representative in ~~congress~~, **CONGRESS**, state senator,
 17 representative in the legislature, county executive, prosecuting
 18 attorney, sheriff, county clerk, county treasurer, register of
 19 deeds, county auditor, drain commissioner, public works
 20 commissioner, county road commissioner, county mine inspector,
 21 surveyor, and candidates for office in townships. A nomination for
 22 an office shall be made only if the official is to be elected at
 23 the next succeeding general November election.

24 Sec. 535. A general primary shall be held in every election
 25 precinct in this state on the Tuesday ~~succeeding~~ **AFTER** the first
 26 Monday in ~~August~~ ~~preceding~~ **JUNE BEFORE** every general November
 27 election, at which time the qualified and registered voters may

1 vote for nonpartisan candidates for the office of judge of the
2 court of appeals, judge of the circuit court, judge of probate, and
3 for circuit court commissioner in the years in which ~~such~~**THOSE**
4 officers are to be elected.

5 Sec. 551. ~~Until December 31, 2013, the secretary of state and~~
6 ~~the various county, township, and city clerks shall receive~~
7 ~~nominating petitions or filing fees filed under this act up to 4~~
8 ~~p.m., eastern standard time, of the twelfth Tuesday before the~~
9 ~~August primary. Beginning January 1, 2014, the~~**THE** secretary of
10 state and the various county, township, and city clerks shall
11 receive nominating petitions or filing fees filed under this act up
12 to 4 p.m., eastern standard time, of the fifteenth Tuesday before
13 the ~~August~~**JUNE** primary. The provisions of this section do not
14 apply to a city that does not nominate its officers under the
15 provisions of this act.

16 Sec. 559. It ~~shall be~~**IS** the duty of the board of election
17 commissioners of each county in this state to prepare and furnish
18 the necessary official primary election ballots, except for city
19 offices, ~~which~~**THAT** may be required for use by the electors of any
20 political party at the ~~August~~**JUNE** primary.

21 Sec. 591. ~~(1) Except as provided in subsection (2) and section~~
22 532, the state convention of all political parties for the
23 nomination of candidates for state offices in the even numbered
24 years shall commence not less than 60 days before the general
25 November election. The date, time, and location of the state
26 convention shall be designated by the state central committees of
27 the various political parties in their call for a state convention.

1 The calls shall be issued at least 60 days before the ~~August~~ **JUNE**
2 primaries.

3 ~~—— (2) In 2012 only, the state convention of all political~~
4 ~~parties for the nomination of candidates for state offices shall~~
5 ~~commence not less than 58 days before the general November~~
6 ~~election. The date, time, and location of the state convention~~
7 ~~shall be designated by the state central committees of the various~~
8 ~~political parties in their call for a state convention. The calls~~
9 ~~shall be issued at least 60 days before the August primaries.~~

10 Sec. 592. (1) Except as provided in section 532, the county
11 conventions of all political parties for the election of delegates
12 to a state convention for the nomination of state officers in the
13 even numbered years shall be held not less than 8 days nor more
14 than 25 days after the ~~August~~ **JUNE** primaries.

15 (2) All county conventions of a political party shall be held
16 on the same day throughout the state. The date shall be designated
17 by the state central committee of a political party in its call for
18 the state convention. The place and hour of meeting of a county
19 convention shall be designated in the call issued by the county
20 committee of the political party in the county, which call shall be
21 issued not less than 45 days before the ~~August~~ **JUNE** primaries. The
22 number of delegates to the state convention to which the political
23 party in the county is entitled shall be chosen at the county
24 convention.

25 (3) In all counties having or ~~which~~ **THAT** may ~~hereafter~~ have 2
26 or more congressional districts or parts of congressional districts
27 within the boundaries of the county, the congressional districts or

1 a part of a congressional district within the counties shall each
2 be considered a county within the provisions of this section for
3 the holding of the county conventions provided for in this section,
4 and shall be in place of the county convention. The nominee for
5 ~~congress~~**CONGRESS** of the congressional district in the preceding
6 primary election, the county chairperson, and the county secretary
7 of the several political parties shall constitute a committee in
8 each congressional district to name the temporary chairperson of
9 the first district convention held under this act. Thereafter, the
10 district chairperson shall act as temporary chairperson. The
11 convention shall organize the same as county conventions and shall
12 elect delegates to the state convention. The chairperson and
13 secretary of the convention shall certify to the state central
14 committee the names and addresses of the delegates elected, and,
15 when certified, those delegates shall become the delegates from the
16 district to the state convention.

17 Sec. 598. (1) The state central committee of each political
18 party shall, at least 60 days before the ~~August~~**JUNE** primary,
19 forward by mail to the chairperson of each county committee of the
20 political party a copy of the call for the fall state convention of
21 the political party, showing the number of delegates to which each
22 county is entitled in the state convention of the political party.
23 The state central committee shall apportion the delegates to the
24 several counties in proportion to the number of votes cast for the
25 candidate of the party for secretary of state in each county,
26 respectively, at the last preceding November general election.

27 (2) In addition to the number of delegates allocated to each

1 county under subsection (1), the state central committees shall
2 allocate an additional number of delegates equal to the number of
3 incumbent legislators nominated by their party and residing in the
4 county.

5 Sec. 611. (1) In the year 1956, and each fourth year after
6 1956, delegates of each political party who were elected to the
7 last prior fall county convention shall reconvene in a county
8 convention. The county conventions, when so convened, shall elect
9 delegates to a state convention. The number of delegates elected
10 shall be the same as the number elected to the last prior spring
11 state convention. The county conventions shall be held at least 90
12 days ~~prior to~~ **BEFORE** the time set for the holding of the national
13 convention of its political party. All county conventions shall be
14 held on the same day and time. The time and place shall be fixed by
15 the state central committee. A state convention composed of
16 delegates elected by the respective county conventions shall be
17 held in the year 1956, and each fourth year after 1956, at least 60
18 days before the holding of the national convention of its political
19 party.

20 (2) As used in this section:

21 (a) "Delegates of each political party who were elected to the
22 last prior fall county convention" means precinct delegates elected
23 at the last prior ~~August~~ **JUNE** primary election, persons nominated
24 as candidates for county offices and state legislative offices who
25 are delegates at large to county conventions under section 599(5),
26 and delegates elected under section 622 or 624d to fill a precinct
27 delegate vacancy for the balance of an unexpired term.

1 (b) "Persons nominated as candidates for county offices and
2 state legislative offices who are delegates at large to county
3 conventions under section 599(5)" means incumbent county officials,
4 incumbent state legislators, and unsuccessful candidates for county
5 offices and state legislative offices who are candidates at the
6 last prior regular or special election held for the respective
7 office.

8 (3) Delegates to a state convention shall include only those
9 delegates elected at a county convention.

10 Sec. 623a. (1) On or before April 1 in even numbered years,
11 the chairperson of the county committee or district committee of a
12 congressional district or a part of a congressional district
13 considered a county under section 592 of each political party shall
14 forward by mail or otherwise deliver to the board of election
15 commissioners in that county a certificate showing the number of
16 delegates to the county convention to which each precinct of the
17 county is entitled. The chairperson of the state central committee
18 of a political party shall notify the chairperson of the county
19 committee or district committee of a congressional district or a
20 part of a congressional district considered a county under section
21 592 of that political party no later than March 1 in even numbered
22 years that the certificate required by this subsection is to be
23 delivered to the board of election commissioners on or before April
24 1 of that year.

25 (2) If the chairperson fails to forward the certificate
26 required by subsection (1) by the day specified, the board of
27 election commissioners shall immediately determine the number of

1 delegates to the county convention that each precinct should elect
2 for the implementation of this act.

3 (3) The allotment of delegates to all precincts in the state
4 shall be made to insure, as near as is practicable, equal
5 apportionment based upon the total vote cast for the candidate of
6 each political party for either president of the United States or
7 secretary of state at the last general November election when
8 elections for those offices were held, whichever is later. However,
9 each precinct shall have at least 1 delegate.

10 (4) The apportionment shall be based on the precincts as they
11 exist 180 days before the ~~August~~**JUNE** primary election in even
12 numbered years.

13 (5) As many delegates in each precinct as a political party is
14 entitled to according to the certificate authorized by the
15 chairperson of the county committee or the board of election
16 commissioners shall be elected at the ~~August~~**JUNE** primary in even
17 numbered years by direct vote of the registered electors of each
18 political party in the county.

19 Sec. 641. (1) Except as otherwise provided in this section, an
20 election held under this act shall be held on 1 of the following
21 regular election dates:

22 (a) The ~~May~~**MARCH** regular election date, which is the first
23 Tuesday after the first Monday in ~~May~~**MARCH. HOWEVER, IN EACH**
24 **PRESIDENTIAL ELECTION YEAR WHEN A STATEWIDE PRESIDENTIAL PRIMARY IS**
25 **HELD UNDER SECTION 613A, THE MARCH REGULAR ELECTION DATE IS THE**
26 **SECOND TUESDAY IN MARCH.**

27 (b) The ~~August~~**JUNE** regular election date, which is the first

1 Tuesday after the first Monday in ~~August~~ **JUNE**.

2 (c) The November regular election date, which is the first
3 Tuesday after the first Monday in November.

4 ~~—— (d) In each presidential election year when a statewide~~
5 ~~presidential primary election is held, the date of the statewide~~
6 ~~presidential primary election as provided in section 613a.~~

7 (2) If an elective office is listed by name in section 643,
8 requiring the election for that office to be held at the general
9 election, and if candidates for the office are nominated at a
10 primary election, the primary election shall be held on the ~~August~~
11 **JUNE** regular election date.

12 (3) Except as otherwise provided in this subsection and
13 subsection (4), a special election shall be held on a regular
14 election date. A special election called by the governor under
15 section 145, 178, 632, 633, or 634 to fill a vacancy or called by
16 the legislature to submit a proposed constitutional amendment as
17 authorized in section 1 of article XII of the state constitution of
18 1963 may, but is not required to be, held on a regular election
19 date.

20 (4) A school district may call a special election to submit a
21 ballot question to borrow money, increase a millage, or establish a
22 bond if an initiative petition is filed with the county clerk. The
23 petition shall be signed by a number of qualified and registered
24 electors of the district equal to not less than 10% of the electors
25 voting in the last gubernatorial election in that district or 3,000
26 signatures, whichever number is lesser. Section 488 applies to a
27 petition to call a special election for a school district under

1 this section. In addition to the requirements set forth in section
2 488, the proposed date of the special election shall appear beneath
3 the petition heading, and the petition shall clearly state the
4 amount of the millage increase or the amount of the loan or bond
5 sought and the purpose for the millage increase or the purpose for
6 the loan or bond. The petition shall be filed with the county clerk
7 by 4 p.m. of the twelfth Tuesday before the proposed date of the
8 special election. The petition signatures shall be obtained within
9 60 days before the filing of the petition. Any signatures obtained
10 more than 60 days before the filing of the petition are not valid.
11 If the special election called by the school district is not
12 scheduled to be held on a regular election date as provided in
13 subsection (1), the special election shall be held on a Tuesday. A
14 special election called by a school district under this subsection
15 shall not be held within 30 days before or 35 days after a regular
16 election date as provided in subsection (1). A school district may
17 only call 1 special election pursuant to this subsection in each
18 calendar year.

19 (5) The secretary of state shall direct and supervise the
20 consolidation of all elections held under this act.

21 (6) This section shall be known and may be cited as the
22 "Hammerstrom election consolidation law".

23 Sec. 642. (1) Except as otherwise provided in this section and
24 section 642a, beginning on September 1, 2004, a city shall hold its
25 regular election or regular primary election as follows:

26 (a) A city shall hold its regular election for a city office
27 at the odd year general election.

1 (b) A city shall hold its regular election primary at the odd
2 year primary election.

3 (c) A city that holds its regular election for a city office
4 annually or in the even year on the November regular election date
5 shall continue holding elections on that schedule.

6 (d) A city that holds its regular election primary for a city
7 office annually or in the even year on the August regular primary
8 election date shall continue holding primary elections on that
9 schedule.

10 (2) If, on September 1, 2004, a city holds its regular
11 election at other than a regular November election date, the city
12 council may choose to hold the regular election on the May regular
13 election date by adopting a resolution in compliance with this
14 section. Except as provided in section 642a, if a city council
15 adopts the resolution in compliance with this section to hold its
16 regular election on the May regular election date, after December
17 31, 2004, the city's regular election is on the May regular
18 election date. If a city's regular election is held on the May
19 regular election date, the city shall not hold a regular primary
20 election.

21 (3) If, on September 1, 2004, a city holds its regular
22 election annually or in the even year on the November regular
23 election date, the city council may choose to hold the regular
24 election at the odd year general election by adopting a resolution
25 in compliance with this section. Except as provided in section
26 642a, if a city council adopts the resolution in compliance with
27 this section to hold its regular election at the odd year general

1 election, after December 31, 2004, the city's regular election is
2 at the odd year election. If a city's regular election is held at
3 the odd year general election, the city's regular election primary
4 shall be held at the odd year primary election.

5 (4) If, on September 1, 2004, a city holds its regular
6 election annually on the November regular election date, the city
7 council may choose to hold the regular election at the even year
8 general election by adopting a resolution in compliance with this
9 section. Except as provided in section 642a, if a city council
10 adopts the resolution in compliance with this section to hold its
11 regular election at the even year general election, after December
12 31, 2004, the city's regular election is at the even year election.
13 If a city's regular election is held at the even year general
14 election, the city's regular election primary shall be held at the
15 even year primary election.

16 (5) A village shall hold its regular election as follows:

17 (a) A village shall hold its regular election for a village
18 office at the general election and the appropriate township clerk
19 shall conduct the election.

20 (b) A village shall not hold a regular primary election.

21 (6) If a village's special election is held in conjunction
22 with another election conducted by a township, the village shall
23 pay the township a proportionate share of the election expenses. If
24 a village's special election is not held in conjunction with
25 another election conducted by a township, the village shall pay the
26 township 100% of the actual costs of conducting the village's
27 special election.

1 (7) A resolution permitted under this section or section 642a
2 is valid only if a city council adopts the resolution in compliance
3 with all of the following:

4 (a) The resolution is adopted before 1 of the following:

5 (i) If the resolution is permitted under subsection (2), (3),
6 or (4), January 1, 2005.

7 (ii) If the resolution is permitted under section ~~642a(1),~~
8 ~~(2), or (4),~~ **642A(2) OR (4)**, January 1 of the year in which the
9 change in the date of the election takes effect.

10 (b) Before adopting the resolution, the council holds at least
11 1 public hearing on the resolution. The public hearing may be held
12 on the same day and immediately before considering the adoption of
13 the resolution.

14 (c) The council gives notice of each public hearing on the
15 resolution in a manner designed to reach the largest number of the
16 jurisdiction's qualified electors in a timely fashion.

17 (d) The council votes on the resolution and, on a record roll
18 call vote, a majority of the council's board members, elected or
19 appointed, and serving, adopt the resolution.

20 (e) The council files the resolution with the secretary of
21 state.

22 Sec. 642a. (1) After December 31, ~~2004,~~ **2016**, a city council
23 that adopted a resolution so that its regular election is held on
24 the May regular election date ~~may change its regular election to~~
25 ~~the odd year general election by adopting a resolution in~~
26 ~~compliance with section 642. If a city council adopts the~~
27 ~~resolution in compliance with section 642 to hold its regular~~

1 ~~election at the odd year general election, after December 31 of the~~
2 ~~year in which the resolution is adopted, the city's regular~~
3 ~~election is at the odd year general election.~~ **SHALL HOLD ITS REGULAR**
4 **ELECTION ON THE MARCH REGULAR ELECTION DATE.**

5 (2) After December 31, 2004, a city council that holds its
6 regular election for city offices annually or in the even year on
7 the November regular election date may change its regular election
8 schedule to the odd year general election and the odd year primary
9 election by adopting a resolution in compliance with section 642.
10 If a city council adopts the resolution in compliance with section
11 642, the city's regular election is at the odd year general
12 election and its primary is at the odd year primary election.

13 (3) After December 31, 2010, a city that adopted a resolution
14 so that its regular election primary is held at the September
15 election shall hold its regular election primary at the odd year
16 primary election.

17 (4) After December 31, 2011, a city that holds its regular
18 election for city offices annually or in the odd year on the
19 November regular election date may change its regular election
20 schedule to the even year general election and the even year
21 primary election by adopting a resolution in compliance with
22 section 642. If a city council adopts the resolution in compliance
23 with section 642, after December 31 of the year in which the
24 resolution is adopted, the city's regular election is at the even
25 year general election and its primary is at the even year primary
26 election.

27 (5) After December 31, 2012, a village that adopted a

1 resolution so that its regular election is held at the September
2 election shall hold its regular election at the general November
3 election.

4 (6) AFTER DECEMBER 31, 2016, A CITY THAT HOLDS ITS REGULAR
5 ELECTION PRIMARY FOR A CITY OFFICE ANNUALLY OR IN THE EVEN YEAR ON
6 THE AUGUST REGULAR PRIMARY ELECTION DATE SHALL HOLD ITS REGULAR
7 ELECTION PRIMARY ON THE JUNE REGULAR PRIMARY ELECTION DATE.

8 Sec. 644f. (1) Except as provided in this section and section
9 644e, nominating petitions for offices to be filled at the odd year
10 general election shall be filed by 4 p.m. on the fifteenth Tuesday
11 before the odd year primary election. The place of filing and the
12 number of signatures shall be the same as is now required by law
13 for those offices.

14 (2) If a nonpartisan petition requirement is not contained in
15 law or charter, the minimum number of signatures shall be the
16 amount as provided for in section 544f.

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

23 (4) Until December 31, 2015, the nominating petition filing
24 deadline for candidates for city offices may be adjusted as
25 provided in subsection (5) if all of the following occur:

26 (a) The city clerk publishes a nominating petition filing
27 deadline that is different than the fifteenth Tuesday before the

1 odd year primary election or the odd year general election and the
2 nominating petition filing deadline published by the city clerk is
3 between the fifteenth Tuesday and the twelfth Tuesday before the
4 odd year primary election or the odd year general election.

5 (b) The city clerk did not publicly correct the filing
6 deadline error at least 2 weeks before the fifteenth Tuesday before
7 the odd year primary election or the odd year general election.

8 (c) One or more candidates for city offices in that city
9 relied upon the incorrect nominating petition filing deadline,
10 failed to file nominating petitions by the fifteenth Tuesday before
11 the odd year primary election or the odd year general election, and
12 filed nominating petitions by the filing deadline published by the
13 city clerk that are determined by the city clerk to contain a
14 sufficient number of valid signatures.

15 (5) If the bureau of elections confirms that all of the
16 conditions set forth in subsection (4) are met, the bureau of
17 elections may authorize the city clerk to adjust the nominating
18 petition filing deadline for that odd year primary election or that
19 odd year general election from the fifteenth Tuesday before the odd
20 year primary election or the odd year general election to the
21 incorrectly published nominating petition filing deadline.

22 (6) A city that falls under subsections (4) and (5) is subject
23 to all of the following:

24 (a) Until December 31, 2017, the city clerk of that city shall
25 attend at least once annually an election training school conducted
26 by the director of elections as provided in section 33.

27 (b) Until December 31, 2017, the city clerk shall submit

1 nominating petitions to the secretary of state for final approval
2 as to form before being circulated for signatures and shall submit
3 any election filing deadline calendars and any correspondence
4 relating to those calendars to the secretary of state before being
5 provided to the public.

6 (c) The secretary of state shall conduct a postelection audit
7 after each November election held in the city in 2015, 2016, and
8 2017.

9 (d) The secretary of state shall conduct an administrative
10 audit of the city clerk's elections operations and shall report the
11 results of that administrative audit to the house and senate
12 committees dealing with elections no later than October 1, 2015.

13 (e) Until December 31, 2015, the secretary of state shall
14 conduct preelection precinct election inspector training for those
15 acting as precinct election inspectors at any August or November
16 election held in the city.

17 (f) Notwithstanding section 683, beginning January 1, 2016 and
18 until December 31, 2017, those acting as precinct election
19 inspectors at any ~~August~~ **JUNE** or November election held in the city
20 shall attend a preelection training school for election inspectors
21 conducted by the county clerk of the county in which the city is
22 located.

23 Sec. 686a. (1) If a political party entitled to a position on
24 the ballot failed to have at least 1 candidate who polled at least
25 5% of the total vote cast for all candidates for secretary of state
26 at the last preceding election at which a secretary of state was
27 elected, candidates for that political party shall be nominated as

1 provided in section 532. County caucuses and state conventions for
2 ~~such~~ **THESE** political parties shall be held not later than the
3 ~~August~~ **JUNE** primary.

4 (2) County caucuses may nominate candidates for the office of
5 representative in ~~congress~~, **CONGRESS**, state senator, and state
6 representative if the offices represent districts contained wholly
7 within the county, and for all county and township offices. Not
8 more than 1 business day after the conclusion of the caucus, the
9 names and mailing addresses of all candidates ~~so~~-nominated and the
10 offices for which they were nominated shall be certified by the
11 chairperson and secretary of the caucus to the county clerk. The
12 certification shall be accompanied by an affidavit of identity for
13 each candidate named in the certificate as provided in section 558
14 and a separate written certificate of acceptance of nomination
15 signed by each candidate named on the certificate. The form of the
16 certificate of acceptance shall be prescribed by the secretary of
17 state. If a candidate is ~~so~~-certified with the accompanying
18 affidavit of identity and certificate of acceptance, the name of
19 the candidate shall be printed on the ballot for that election.
20 Candidates nominated and certified shall not be permitted to
21 withdraw.

22 (3) The county caucus may also select the number of delegates
23 to the state convention to which the county is entitled and shall
24 select its own officers and name its own county committee.

25 (4) The state convention shall be held at the time and place
26 indicated in the call. The convention shall consist of delegates
27 selected by the county caucuses. The convention may fill vacancies

1 in a delegation from qualified electors of that county present at
2 the convention. The convention may nominate candidates for all
3 state offices. District candidates may be nominated at district
4 caucuses held in conjunction with the state convention attended by
5 qualified delegates of the district. If delegates of a district are
6 not present, a district caucus shall not be held for that district
7 and candidates shall not be nominated for that district. Not more
8 than 1 business day after the conclusion of the convention, the
9 names and mailing addresses of the candidates nominated for state
10 or district offices shall be certified by the chairperson and
11 secretary of the state convention to the secretary of state. The
12 certification shall be accompanied by an affidavit of identity for
13 each candidate named in the certificate as provided in section 558
14 and a separate written certificate of acceptance of nomination
15 signed by each candidate named on the certificate. The form of the
16 certificate of acceptance shall be prescribed by the secretary of
17 state. The names of candidates ~~se~~-certified with accompanying
18 affidavit of identity and certificate of acceptance shall be
19 printed on the ballot for the forthcoming election. Candidates ~~se~~
20 nominated and certified shall not be permitted to withdraw.

21 Sec. 737a. (1) Except as otherwise provided in this section,
22 the board of election inspectors shall not count a write-in vote
23 for a person unless that person has filed a declaration of intent
24 to be a write-in candidate as provided in this section. The write-
25 in candidate shall file the declaration of intent to be a write-in
26 candidate with the filing official for that elective office on or
27 before 4 p.m. on the second Friday immediately before the election.

1 The secretary of state, immediately after the 4 p.m. filing
2 deadline under this subsection, shall prepare and have delivered a
3 list of all persons who have filed a declaration of intent to be a
4 write-in candidate under this subsection, if any, to the
5 appropriate county clerks. A filing official other than the
6 secretary of state who receives a declaration of intent to be a
7 write-in candidate or list of persons who filed a declaration of
8 intent from another filing official under this subsection shall
9 prepare and have delivered a list of all persons who have filed a
10 declaration of intent to be a write-in candidate to the board of
11 election inspectors in the appropriate precincts before the close
12 of the polls on election day.

13 (2) If a candidate whose name is printed on the official
14 ballot for the election dies or is otherwise disqualified after 4
15 p.m. on the second Friday immediately before the election, the
16 requirement of filing a declaration of intent to be a write-in
17 candidate under subsection (1) does not apply to a write-in
18 candidate. If a death or disqualification has occurred as described
19 in this subsection, the board of election inspectors shall count
20 all write-in votes for write-in candidates for the office sought by
21 the deceased or disqualified candidate.

22 (3) Subsections (1) and (2) do not apply to a write-in
23 candidate for precinct delegate. The board of election inspectors
24 shall not count a write-in vote for a write-in candidate for
25 precinct delegate unless that candidate has filed a declaration of
26 intent to be a write-in candidate as provided in this subsection. A
27 write-in candidate for precinct delegate shall file a declaration

1 of intent to be a write-in candidate with the appropriate city or
2 township clerk for that precinct on or before 4 p.m. on the Friday
3 immediately before the election or with the board of election
4 inspectors in the appropriate precinct before the close of the
5 polls on election day. A city or township clerk who receives a
6 declaration of intent to be a write-in candidate from a write-in
7 candidate for precinct delegate under this subsection shall prepare
8 and have delivered a list of all persons who have filed a
9 declaration of intent to be a write-in candidate to the board of
10 election inspectors in the appropriate precincts before the close
11 of the polls on election day.

12 (4) The secretary of state shall prescribe forms for the
13 declaration of intent to be a write-in candidate. Clerks shall
14 maintain a supply of declaration of intent to be a write-in
15 candidate forms in the clerk's office and make the forms available
16 in the polling places during the ~~August~~ **JUNE** primary for this
17 purpose. The declaration of intent to be a write-in candidate form
18 shall include all of the following information:

19 (a) The name of the person intending to be a write-in
20 candidate.

21 (b) The elective office that the person seeks as a write-in
22 candidate.

23 (c) The residence address of the person seeking elective
24 office as a write-in candidate.

25 (d) Other information the secretary of state considers
26 appropriate.

27 Sec. 821. ~~(1)~~—The board of county canvassers shall meet at the

1 office of the county clerk at 1 p.m. on the day after the day of a
2 general election, ~~August~~ **JUNE** primary, or presidential primary
3 election in the county. ~~Except as provided in subsection (2), for~~
4 **FOR** other elections, the board **OF COUNTY CANVASSERS** shall meet
5 within 5 days following the election.

6 ~~—— (2) If, at an election held on the May regular election date,~~
7 ~~a ballot question appears on the ballot concerning authorized~~
8 ~~millage that is subject to a millage reduction as provided in~~
9 ~~section 34d of the general property tax act, 1893 PA 206, MCL~~
10 ~~211.34d, the board of county canvassers shall meet to canvass and~~
11 ~~certify the results of the vote on that proposition after May 31~~
12 ~~and before June 15 following the election.~~

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

23 (2) If a recall petition is filed under section 960,
24 immediately upon determining that the recall petition is
25 sufficient, but not later than 35 days after the date of filing of
26 the recall petition, the county clerk with whom the recall petition
27 is filed shall call the recall election and proceed under sections

1 971c to 975. The recall election shall be held not less than 95
2 days after the date the recall petition is filed and shall be held
3 on the next ~~May~~**MARCH** regular election date or the next November
4 regular election date, whichever occurs first.

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

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

20 Sec. 970e. Subject to section 970b, the candidate of each
21 political party receiving the greatest number of votes cast for
22 candidates at the recall primary election as set forth in the
23 report of the board of state canvassers, based on the returns from
24 the various election precincts, shall be declared the nominee of
25 that political party at the recall general election to be held on
26 the next ~~May~~**MARCH** regular election date or the next ~~August~~**JUNE**
27 regular election date, whichever occurs first. In addition, except

1 as otherwise provided in this section, a candidate without a
2 political party affiliation may qualify for the recall general
3 election by filing a qualifying petition with the officer with whom
4 the recall petitions were filed that contains 10% of the number of
5 signatures required under section 544f within 10 days after the
6 recall general election is scheduled. An individual who was an
7 unsuccessful candidate in the recall primary election may not
8 subsequently file a qualifying petition as a candidate without a
9 political party affiliation for the recall general election.

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