

HOUSE BILL No. 6602

December 12, 2018, Introduced by Rep. Howrylak and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 191, 195, 200, 203, 204, 205, 206, 206a, 209, 697, and 699 (MCL 168.191, 168.195, 168.200, 168.203, 168.204, 168.205, 168.206, 168.206a, 168.209, 168.697, and 168.699), section 191 as amended by 2018 PA 120, section 195 as amended by 2012 PA 276, section 200 as amended by 1998 PA 364, section 209 as amended by 2014 PA 94, and section 699 as amended by 2012 PA 523, and by adding chapter XA.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 191. ~~A person~~ **AN INDIVIDUAL** is not eligible to the office
2 of county clerk, county treasurer, register of deeds, ~~prosecuting~~
3 ~~attorney, sheriff,~~ drain commissioner, surveyor, or coroner if the
4 ~~person~~ **INDIVIDUAL** is not a registered and qualified elector of the
5 county in which election is sought by the filing deadline.

1 Sec. 195. If a candidate of a political party for ~~prosecuting~~
2 ~~attorney, sheriff,~~ county clerk, county treasurer, register of
3 deeds, drain commissioner, coroner, or surveyor, after having
4 qualified as a candidate, dies after the last day for qualifying,
5 leaving the political party without a candidate for that office, a
6 candidate to fill the vacancy may be selected by the members of the
7 county committee of the candidate's political party, and the name
8 of the candidate selected ~~shall~~ **MUST** be transmitted to the county
9 officials required by law to print and distribute ballots. The name
10 of the candidate ~~shall~~ **MUST** be printed on the ballots, but if the
11 ballots have been printed, the county officials shall have the
12 ballots reprinted with the candidate's name on the ballots and the
13 reprinted ballots ~~shall~~ **MUST** be distributed to the various voting
14 precincts within their respective counties.

15 Sec. 200. (1) A county clerk, a county treasurer, a register
16 of deeds, ~~a prosecuting attorney, a sheriff,~~ a drain commissioner,
17 and a surveyor shall be elected at the 2000 general November
18 election and every fourth year after that. However, in a county in
19 which 1 of these offices is abolished or combined as provided by
20 law, ~~no person shall~~ **AN INDIVIDUAL MUST NOT** be elected to that
21 office in that county.

22 (2) Subject to subsections (3), (4), and (5), a county board
23 of commissioners may by resolution combine the offices of county
24 clerk and register of deeds in 1 office of the clerk register or
25 separate the office of the clerk register into the offices of
26 county clerk and register of deeds. A combination or separation of
27 offices ~~shall~~ **MUST** not take effect before the expiration of the

1 current term of the affected offices.

2 (3) Before adopting a resolution to combine the offices of
3 county clerk and register of deeds or separate the office of clerk
4 register into the offices of county clerk and register of deeds, a
5 county board of commissioners ~~shall~~**MUST** study the question of
6 combining or separating the offices. The mandatory requirements of
7 this subsection may be satisfied by conducting a public hearing
8 ~~pursuant to~~**UNDER** subsection (4).

9 (4) The county board of commissioners as a whole body shall
10 hold not less than 1 public hearing, held subject to the open
11 meetings act, 1976 PA 267, MCL 15.261 to 15.275, on the question of
12 combining or separating the offices of county clerk and register of
13 deeds. The county board of commissioners may vote on the question
14 as a regularly scheduled agenda item not less than 10 days or more
15 than 30 days after the last public hearing held by the county board
16 of commissioners on the question.

17 (5) Not later than the sixth Tuesday before the deadline for
18 filing the nominating petitions for the office of county clerk,
19 register of deeds, or clerk register, the county board of
20 commissioners may by a vote of 2/3 of the commissioners elected and
21 serving combine the offices of county clerk and register of deeds
22 or separate the office of the clerk register. The resolution ~~shall~~
23 ~~become~~**BECOMES** effective upon the commencement of the next term of
24 office of the county clerk, register of deeds, or clerk register
25 after the adoption of the resolution.

26 Sec. 203. The term of office of the county clerk, county
27 treasurer, register of deeds, ~~prosecuting attorney, sheriff, drain~~

1 commissioner, surveyor, and coroner ~~shall begin~~ **BEGINS** on January 1
2 next following the election, ~~and~~ continues until a successor is
3 elected and qualified, except that in counties having a population
4 of 1,000,000 or more the term of office of the county treasurer
5 ~~shall begin~~ **BEGINS** on July 1 next following the election.

6 Sec. 204. ~~Every person~~ **EACH INDIVIDUAL** elected to an office
7 named in section 200, ~~of this act,~~ before entering upon the duties
8 of his **OR HER** office, ~~shall~~ **MUST** take and subscribe to the oath as
9 provided in section 1 of article ~~11~~ **XI** of the state constitution **OF**
10 **1963** and ~~, with the exception of the prosecuting attorney,~~ shall
11 **MUST** give bond in the amount and manner prescribed by law and ~~shall~~
12 deposit ~~said~~ **THE** oath with the county clerk and ~~said~~ **THE** bond with
13 the county treasurer. The county treasurer shall file his **OR HER**
14 bond with the county clerk.

15 Sec. 205. ~~Any person duly~~ **AN INDIVIDUAL** elected to any of the
16 county offices named in section 200 ~~of this act~~ who desires to
17 resign shall file a written notice containing the effective date of
18 ~~such~~ **THE** resignation with the presiding or senior judge of probate,
19 the county clerk, and the prosecuting attorney of ~~said~~ **THE** county.
20 ~~Provided, That if~~ **IF** the county clerk ~~or the prosecuting attorney~~
21 desires to resign, he **OR SHE** shall file a written notice containing
22 the effective date of ~~such~~ **THE** resignation with the presiding judge
23 of that judicial circuit.

24 Sec. 206. The office of county clerk, county treasurer,
25 register of deeds, ~~prosecuting attorney, sheriff, drain~~
26 commissioner, surveyor, or coroner in any county in this state
27 ~~shall become~~ **BECOMES** vacant upon the happening of any of the

1 following events:

2 (A) Death of the incumbent. ~~his~~

3 (B) **THE INCUMBENT'S** resignation. ~~his~~

4 (C) **THE INCUMBENT'S** removal from office for cause. ~~his~~

5 (D) **THE INCUMBENT'S** ceasing to be a resident of the county in
6 which his **OR HER** office is located. ~~his~~

7 (E) **THE INCUMBENT'S** conviction of an infamous crime or an
8 offense involving the violation of his **OR HER** oath of office. ~~the~~

9 (F) **THE** decision of a competent tribunal declaring ~~his~~**THE**
10 **INCUMBENT'S** election or appointment void. ~~his~~

11 (G) **THE INCUMBENT'S** refusal or neglect to take and subscribe
12 to the constitutional oath of office and deposit the same in the
13 manner and within the time prescribed by law. ~~or his~~

14 (H) **THE INCUMBENT'S** refusal or neglect to give bond in the
15 amount and manner and within the time prescribed by law.

16 Sec. 206a. ~~Whenever any person~~**IF AN INDIVIDUAL** elected to the
17 office of county clerk, county treasurer, register of deeds,
18 ~~prosecuting attorney, sheriff, drain commissioner, surveyor, or~~
19 coroner in any county ~~shall die~~**DIES** before the commencement of the
20 term for which he **OR SHE** was elected, there ~~shall be~~**IS** a vacancy
21 for the term to which ~~such person~~**THE INDIVIDUAL** was elected ~~to~~**AND**
22 **THE VACANCY MUST** be filled according to law. The vacancy ~~shall~~**MUST**
23 be filled within 15 days after the beginning of the term for which
24 he **OR SHE** was elected.

25 Sec. 209. (1) If a vacancy occurs in an elective or appointive
26 county office, ~~it shall~~**THE VACANCY MUST** be filled in the following
27 manner:

1 IN EVERY COUNTY OF THIS STATE ON THE TUESDAY AFTER THE FIRST MONDAY
2 IN AUGUST BEFORE EVERY GENERAL NOVEMBER ELECTION AT WHICH A
3 PROSECUTING ATTORNEY AND SHERIFF ARE TO BE ELECTED, AT WHICH TIME
4 THE QUALIFIED AND REGISTERED ELECTORS MAY VOTE FOR NONPARTISAN
5 CANDIDATES FOR THE OFFICES OF PROSECUTING ATTORNEY AND SHERIFF. IF
6 UPON THE EXPIRATION OF THE TIME FOR FILING PETITIONS OR A FILING
7 FEE FOR THE PRIMARY ELECTION OF THE PROSECUTING ATTORNEY AND
8 SHERIFF IN ANY COUNTY IT APPEARS THAT THERE ARE NOT TO EXCEED TWICE
9 THE NUMBER OF CANDIDATES AS THERE ARE INDIVIDUALS TO BE ELECTED,
10 THEN THE COUNTY CLERK SHALL CERTIFY TO THE COUNTY BOARD OF ELECTION
11 COMMISSIONERS THE NAME OF THE CANDIDATE FOR PROSECUTING ATTORNEY OR
12 SHERIFF WHOSE PETITIONS HAVE BEEN PROPERLY FILED AND THAT CANDIDATE
13 IS THE NOMINEE FOR THE OFFICE OF PROSECUTING ATTORNEY OR SHERIFF
14 AND MUST BE SO CERTIFIED. AS TO THAT OFFICE, THERE IS NO PRIMARY
15 ELECTION AND THIS OFFICE MUST BE OMITTED FROM THE PRIMARY BALLOT.

16 SEC. 213A. (1) SUBJECT TO SUBSECTION (2), TO OBTAIN THE
17 PRINTING OF THE NAME OF AN INDIVIDUAL AS A CANDIDATE FOR NOMINATION
18 FOR THE OFFICE OF PROSECUTING ATTORNEY OR SHERIFF UPON THE OFFICIAL
19 NONPARTISAN PRIMARY BALLOTS, THERE MUST BE FILED WITH THE COUNTY
20 CLERK NOMINATING PETITIONS SIGNED BY A NUMBER OF QUALIFIED AND
21 REGISTERED ELECTORS RESIDING WITHIN THE COUNTY AS DETERMINED UNDER
22 SECTION 544F. NOMINATING PETITIONS MUST BE IN THE FORM PRESCRIBED
23 IN SECTION 544A. THE COUNTY CLERK SHALL RECEIVE NOMINATING
24 PETITIONS UP TO 4 P.M. OF THE FIFTEENTH TUESDAY BEFORE THE AUGUST
25 PRIMARY.

26 (2) INSTEAD OF FILING NOMINATING PETITIONS, A CANDIDATE FOR
27 PROSECUTING ATTORNEY OR SHERIFF MAY PAY A FILING FEE OF \$100.00 TO

1 THE COUNTY CLERK. PAYMENT OF THE FILING FEE AND CERTIFICATION OF
2 THE CANDIDATE'S NAME PAYING THE FILING FEE IS GOVERNED BY THE SAME
3 PROVISIONS AS IN THE CASE OF NOMINATING PETITIONS. THE FEE MUST BE
4 DEPOSITED IN THE GENERAL FUND OF THE COUNTY.

5 (3) THE NOMINATING PETITION SIGNATURES FILED UNDER THIS
6 SECTION ARE SUBJECT TO CHALLENGE AS PROVIDED IN SECTION 552.

7 SEC. 214. AFTER THE FILING OF A NOMINATING PETITION OR FILING
8 FEE BY OR ON BEHALF OF A PROPOSED CANDIDATE FOR THE OFFICE OF
9 PROSECUTING ATTORNEY OR SHERIFF, THE PROPOSED CANDIDATE IS NOT
10 PERMITTED TO WITHDRAW UNLESS HE OR SHE SERVES A WRITTEN NOTICE OF
11 WITHDRAWAL ON THE COUNTY CLERK OR HIS OR HER DULY AUTHORIZED AGENT
12 NOT LATER THAN 4 P.M. OF THE THIRD DAY AFTER THE LAST DAY FOR
13 FILING THE NOMINATING PETITION OR FILING FEE. IF THE THIRD DAY
14 FALLS ON A SATURDAY, SUNDAY, OR LEGAL HOLIDAY, THE NOTICE OF
15 WITHDRAWAL MAY BE SERVED ON THE COUNTY CLERK UP TO 4 P.M. ON THE
16 NEXT SECULAR DAY.

17 SEC. 215. THE CANDIDATES FOR THE OFFICES OF PROSECUTING
18 ATTORNEY AND SHERIFF RECEIVING THE LARGEST NUMBER OF VOTES AT A
19 PRIMARY ELECTION, TO A NUMBER EQUAL TO TWICE THE NUMBER OF PLACES
20 TO BE FILLED AS SET FORTH IN THE REPORT OF THE BOARD OF COUNTY
21 CANVASSERS, BASED ON THE RETURNS FROM THE VARIOUS ELECTION
22 PRECINCTS OR AS DETERMINED BY THE BOARD OF COUNTY CANVASSERS AS THE
23 RESULT OF A RECOUNT, MUST BE DECLARED THE NOMINEES FOR THE OFFICES
24 OF PROSECUTING ATTORNEY AND SHERIFF AT THE NEXT NOVEMBER ELECTION.
25 THE BOARD OF COUNTY CANVASSERS SHALL CERTIFY THE NOMINATIONS TO THE
26 COUNTY ELECTION COMMISSION.

27 SEC. 215A. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A

1 PROSECUTING ATTORNEY AND SHERIFF MUST BE ELECTED IN EACH COUNTY IN
2 WHICH A PROSECUTING ATTORNEY AND SHERIFF ARE TO BE ELECTED BY LAW.

3 (2) IF THERE ARE FEWER NOMINEES FOR THE OFFICE OF PROSECUTING
4 ATTORNEY OR SHERIFF THAN THERE ARE INDIVIDUALS TO BE ELECTED
5 BECAUSE OF THE DEATH OR DISQUALIFICATION OF A NOMINEE LESS THAN 66
6 DAYS BEFORE THE GENERAL NOVEMBER ELECTION, THEN AN INDIVIDUAL MUST
7 NOT BE ELECTED AT THAT GENERAL NOVEMBER ELECTION TO THAT OFFICE FOR
8 WHICH THERE IS NO NOMINEE.

9 SEC. 216. A PROSECUTING ATTORNEY AND SHERIFF MUST BE ELECTED
10 AT THE 2020 GENERAL NOVEMBER ELECTION AND EVERY FOURTH YEAR AFTER
11 THAT.

12 SEC. 217. THE BOARD OF COUNTY CANVASSERS SHALL DETERMINE WHICH
13 CANDIDATES FOR THE OFFICES NAMED IN SECTION 212 RECEIVED THE
14 GREATEST NUMBER OF VOTES AND SHALL DECLARE THOSE CANDIDATES
15 ELECTED. THE BOARD OF COUNTY CANVASSERS SHALL MAKE AND SUBSCRIBE ON
16 ITS STATEMENT OF RETURNS A CERTIFICATE OF THE DETERMINATION AND
17 DELIVER THE CERTIFICATE TO THE COUNTY CLERK WITHIN 14 DAYS AFTER
18 THE DATE OF THE ELECTION.

19 SEC. 217A. THE COUNTY CLERK SHALL FILE IN HIS OR HER OFFICE
20 AND PRESERVE THE ORIGINAL STATEMENT AND DETERMINATION OF THE BOARD
21 OF CANVASSERS OF THE RESULTS OF THE ELECTION AND SHALL EXECUTE AND
22 CAUSE TO BE DELIVERED TO THE INDIVIDUALS DECLARED ELECTED TO THE
23 OFFICES NAMED IN SECTION 212 A PROPERLY CERTIFIED CERTIFICATE OF
24 ELECTION, CERTIFIED BY HIM OR HER UNDER THE SEAL OF THE COUNTY. THE
25 COUNTY CLERK MAY CAUSE A COPY OF THE CERTIFICATE OF DETERMINATION
26 AND THE STATEMENT OF THE VOTES CAST AT THE ELECTION FOR THE OFFICES
27 TO BE PUBLISHED IN AT LEAST 1 NEWSPAPER PRINTED OR CIRCULATED, OR

1 BOTH, IN THAT COUNTY.

2 SEC. 217B. THE TERM OF OFFICE OF THE PROSECUTING ATTORNEY AND
3 SHERIFF BEGINS ON JANUARY 1 NEXT FOLLOWING AN ELECTION AND
4 CONTINUES UNTIL A SUCCESSOR IS ELECTED AND QUALIFIED.

5 SEC. 218. (1) AN INDIVIDUAL ELECTED AS SHERIFF, BEFORE
6 ENTERING UPON THE DUTIES OF HIS OR HER OFFICE, MUST TAKE AND
7 SUBSCRIBE TO THE OATH AS PROVIDED IN SECTION 1 OF ARTICLE XI OF THE
8 STATE CONSTITUTION OF 1963 AND MUST GIVE BOND IN THE AMOUNT AND
9 MANNER PRESCRIBED BY LAW AND MUST DEPOSIT THE OATH WITH THE COUNTY
10 CLERK AND THE BOND WITH THE COUNTY TREASURER.

11 (2) AN INDIVIDUAL ELECTED AS PROSECUTING ATTORNEY, BEFORE
12 ENTERING UPON THE DUTIES OF HIS OR HER OFFICE, MUST TAKE AND
13 SUBSCRIBE TO THE OATH AS PROVIDED IN SECTION 1 OF ARTICLE XI OF THE
14 STATE CONSTITUTION OF 1963 AND MUST DEPOSIT THE OATH WITH THE
15 COUNTY CLERK.

16 SEC. 218A. (1) AN INDIVIDUAL ELECTED AS SHERIFF WHO DESIRES TO
17 RESIGN MUST FILE A WRITTEN NOTICE CONTAINING THE EFFECTIVE DATE OF
18 THE RESIGNATION WITH THE PRESIDING OR SENIOR JUDGE OF PROBATE, THE
19 COUNTY CLERK, AND THE PROSECUTING ATTORNEY.

20 (2) AN INDIVIDUAL ELECTED AS PROSECUTING ATTORNEY WHO DESIRES
21 TO RESIGN MUST FILE A WRITTEN NOTICE CONTAINING THE EFFECTIVE DATE
22 OF THE RESIGNATION WITH THE PRESIDING JUDGE OF THAT JUDICIAL
23 DISTRICT.

24 SEC. 219. THE OFFICE OF PROSECUTING ATTORNEY OR SHERIFF IN ANY
25 COUNTY OF THIS STATE BECOMES VACANT UPON THE HAPPENING OF ANY OF
26 THE FOLLOWING EVENTS:

27 (A) DEATH OF THE INCUMBENT.

1 (B) THE INCUMBENT'S RESIGNATION.

2 (C) THE INCUMBENT'S REMOVAL FROM OFFICE FOR CAUSE.

3 (D) THE INCUMBENT'S CEASING TO BE A RESIDENT OF THE COUNTY IN
4 WHICH HIS OR HER OFFICE IS LOCATED.

5 (E) THE INCUMBENT'S CONVICTION FOR A CRIME OR AN OFFENSE
6 INVOLVING THE VIOLATION OF HIS OR HER OATH OF OFFICE.

7 (F) THE DECISION OF A COMPETENT TRIBUNAL DECLARING THE
8 INCUMBENT'S ELECTION OR APPOINTMENT VOID.

9 (G) THE INCUMBENT'S REFUSAL OR NEGLECT TO TAKE AND SUBSCRIBE
10 TO THE CONSTITUTIONAL OATH OF OFFICE AND DEPOSIT THE SAME IN THE
11 MANNER AND WITHIN THE TIME PRESCRIBED BY LAW.

12 (H) THE INCUMBENT'S REFUSAL OR NEGLECT TO GIVE BOND IN THE
13 AMOUNT AND MANNER AND WITHIN THE TIME PRESCRIBED BY LAW.

14 SEC. 219A. IF AN INDIVIDUAL ELECTED TO THE OFFICE OF
15 PROSECUTING ATTORNEY OR SHERIFF IN ANY COUNTY DIES BEFORE THE
16 BEGINNING OF THE TERM FOR WHICH HE OR SHE WAS ELECTED, THERE IS A
17 VACANCY FOR THE TERM TO WHICH THE INDIVIDUAL WAS ELECTED AND THE
18 VACANCY MUST BE FILLED ACCORDING TO LAW. THE VACANCY MUST BE FILLED
19 WITHIN 15 DAYS AFTER THE BEGINNING OF THE TERM FOR WHICH HE OR SHE
20 WAS ELECTED.

21 SEC. 219B. (1) THE GOVERNOR MAY REMOVE AN OFFICER NAMED IN
22 SECTION 212 IF THE GOVERNOR IS SATISFIED FROM THE EVIDENCE
23 SUBMITTED THAT THE OFFICER IS GUILTY OF OFFICIAL MISCONDUCT,
24 WILLFUL NEGLECT OF DUTY, EXTORTION, OR HABITUAL DRUNKENNESS, OR HAS
25 BEEN CONVICTED OF BEING DRUNK, OR IF IT APPEARS BY A CERTIFIED COPY
26 OF THE JUDGMENT OF A COURT OF RECORD OF THIS STATE THAT THE
27 OFFICER, AFTER HIS OR HER ELECTION OR APPOINTMENT, HAS BEEN

1 CONVICTED OF A FELONY.

2 (2) BEFORE THE GOVERNOR REMOVES AN OFFICER UNDER THIS SECTION,
3 ALL OF THE FOLLOWING PROCEDURES MUST BE FOLLOWED:

4 (A) CHARGES HAVE BEEN EXHIBITED TO THE GOVERNOR IN WRITING
5 SPECIFYING THE GROUNDS FOR REMOVAL. THE CHARGES MUST BE ACCOMPANIED
6 BY ANY SUPPORTING EVIDENCE AND BY THE AFFIDAVIT OF THE INDIVIDUAL
7 MAKING THE CHARGES VERIFYING THAT THE INDIVIDUAL BELIEVES THE
8 CHARGES TO BE TRUE.

9 (B) A COPY OF THE CHARGES ARE SERVED ON THE OFFICER. SERVICE
10 MUST BE MADE AS FOLLOWS:

11 (i) IF THE OFFICER CAN BE FOUND, BY HANDING TO THE OFFICER A
12 COPY OF THE CHARGES, TOGETHER WITH ALL AFFIDAVITS OR EXHIBITS THAT
13 MAY BE ATTACHED TO THE CHARGES.

14 (ii) IF THE OFFICER CANNOT BE FOUND, BY LEAVING A COPY OF THE
15 CHARGES, TOGETHER WITH ALL AFFIDAVITS OR EXHIBITS THAT MAY BE
16 ATTACHED TO THE CHARGES, WITH AN INDIVIDUAL OF SUITABLE AGE AT THE
17 OFFICER'S LAST KNOWN PLACE OF RESIDENCE OR, IF AN INDIVIDUAL OF
18 SUITABLE AGE IS NOT AVAILABLE, BY POSTING THE COPY OR COPIES IN A
19 CONSPICUOUS PLACE AT THE OFFICER'S LAST KNOWN PLACE OF RESIDENCE.

20 (C) THE OFFICER MUST BE GIVEN AN OPPORTUNITY TO RESPOND TO THE
21 CHARGES.

22 (3) AN OFFICER REMOVED FROM OFFICE UNDER THIS SECTION IS NOT
23 ELIGIBLE FOR ELECTION OR APPOINTMENT TO ANY OFFICE FOR A PERIOD OF
24 3 YEARS FROM THE DATE OF THE REMOVAL.

25 SEC. 219C. (1) IF A VACANCY OCCURS IN THE OFFICE OF
26 PROSECUTING ATTORNEY, IT MUST BE FILLED BY APPOINTMENT BY THE JUDGE
27 OR JUDGES OF THAT JUDICIAL CIRCUIT.

1 (2) IF A VACANCY OCCURS IN THE OFFICE OF SHERIFF, THE
2 PRESIDING OR SENIOR JUDGE OF PROBATE, THE COUNTY CLERK, AND THE
3 PROSECUTING ATTORNEY MUST APPOINT A SUITABLE INDIVIDUAL TO FILL THE
4 VACANCY.

5 (3) AN INDIVIDUAL APPOINTED SHALL TAKE AND SUBSCRIBE TO THE
6 OATH AS PROVIDED IN SECTION 1 OF ARTICLE XI OF THE STATE
7 CONSTITUTION OF 1963, GIVE BOND IN THE MANNER REQUIRED BY LAW, AND
8 HOLD OFFICE FOR THE REMAINDER OF THE UNEXPIRED TERM AND UNTIL A
9 SUCCESSOR IS ELECTED AND QUALIFIED. HOWEVER, IF THE NEXT GENERAL
10 NOVEMBER ELECTION IS TO BE HELD MORE THAN 182 DAYS AFTER THE
11 VACANCY OCCURS AND IT IS NOT THE GENERAL NOVEMBER ELECTION AT WHICH
12 A SUCCESSOR IN OFFICE WOULD BE ELECTED IF THERE WERE NO VACANCY,
13 THE INDIVIDUAL APPOINTED SHALL HOLD OFFICE ONLY UNTIL A SUCCESSOR
14 IS ELECTED AT THE NEXT GENERAL NOVEMBER ELECTION IN THE MANNER
15 PROVIDED BY LAW AND QUALIFIES FOR OFFICE. THE SUCCESSOR SHALL HOLD
16 THE OFFICE FOR THE REMAINDER OF THE UNEXPIRED TERM.

17 SEC. 220. THE VOTES CAST FOR A CANDIDATE FOR ANY OF THE
18 OFFICES NAMED IN SECTION 212 AT ANY PRIMARY OR ELECTION ARE SUBJECT
19 TO RECOUNT AS PROVIDED IN CHAPTER XXXIII.

20 SEC. 220A. AN INDIVIDUAL ELECTED TO AN OFFICE NAMED IN SECTION
21 212 IS SUBJECT TO RECALL AS PROVIDED IN CHAPTER XXXVI.

22 Sec. 697. At the general November election, the names of the
23 several offices to be voted for ~~shall~~**MUST** be placed on the ballot
24 substantially in the following order in the years in which
25 elections for ~~such~~**THOSE** offices are held: Electors of ~~president~~
26 **PRESIDENT** and ~~vice-president~~**VICE PRESIDENT** of the United States;
27 governor and lieutenant governor; secretary of state; attorney

1 general; United States ~~senator; representative~~ **SENATOR;**
 2 **REPRESENTATIVE** in ~~congress;~~ **CONGRESS;** senator and representative in
 3 the state legislature; members of the state board of education;
 4 regents of the ~~university~~ **UNIVERSITY** of Michigan; trustees of
 5 Michigan ~~state university;~~ **STATE UNIVERSITY;** governors of Wayne
 6 ~~state university;~~ **STATE UNIVERSITY;** county executive; ~~prosecuting~~
 7 ~~attorney; sheriff; clerk; treasurer; register of deeds; auditor in~~
 8 ~~counties electing an auditor;~~ mine inspector in counties electing a
 9 mine inspector; county road commissioners; drain commissioners;
 10 coroners; and surveyor. The following township officers ~~shall~~ **MUST**
 11 be placed on the same ballot as above described in substantially
 12 the following order in the year in which elections for ~~such~~ **THOSE**
 13 offices are held: supervisor, clerk, treasurer, trustees, and
 14 constables.

15 Sec. 699. At any regular election, the names of the several
 16 nonpartisan offices to be voted for ~~shall~~ **MUST** be placed on a
 17 separate portion of the ballot containing no party designation in
 18 the following order: justices of the supreme court, judges of the
 19 court of appeals, judges of the circuit court, judges of the
 20 probate court, judges of the district court, **PROSECUTING ATTORNEY,**
 21 **SHERIFF,** community college board of trustees member, intermediate
 22 school district board member, city officers, the following village
 23 officers in substantially the following order in the year in which
 24 elections for the offices are held: president, clerk, treasurer,
 25 and trustees, and in a year in which an election for the office is
 26 held, local school district board member, metropolitan district
 27 officer, and district library board member.