

HOUSE BILL NO. 4652

June 12, 2025, Introduced by Reps. Carra, Schuette, Aragona, Fox, Pavlov, Kelly, Schriver, DeSana, Beson, Bierlein, Alexander, Martin, Hoadley, Green, Maddock, Smit and DeBoyer and referred to Committee on Election Integrity.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 178, 634, and 641 (MCL 168.178, 168.634, and 168.641), section 178 as amended by 1980 PA 261, section 634 as amended by 1996 PA 583, and section 641 as amended by 2015 PA 197.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 178. The governor ~~may~~**shall** call a special election as
2 provided in section 634 in any senatorial or representative

1 district of ~~the~~**this** state ~~when~~**if** the right of office of a ~~person~~
 2 **an individual** elected state senator or representative ~~shall cease~~
 3 **ceases** before the commencement of the term of service for which the
 4 state senator or representative was elected, or ~~whenever~~**if** a
 5 vacancy occurs in the office of state senator or representative
 6 after the term of service has begun for which the state senator or
 7 representative was elected.

8 Sec. 634. (1) Except as otherwise provided in ~~this section,~~
 9 ~~when~~**subsection (2), if** a vacancy occurs in the office of senator
 10 or representative in the state legislature, the governor ~~may~~**shall,**
 11 **not later than 30 days after the vacancy occurs,** call **for** a special
 12 election in that senatorial or representative district. ~~or direct~~
 13 ~~that the vacancy be filled at the next general election.~~

14 (2) If the vacancy **in the office of senator or representative**
 15 **in the state legislature** occurs after the primary election and
 16 before the following general election, the governor ~~may~~**shall**
 17 direct that the vacancy be filled at that **general** election. If the
 18 governor directs that the vacancy be filled at the following
 19 general election **as provided in this subsection,** the executive
 20 committee of the county committee of each political party, if the
 21 county comprises 1 or more representative districts, or, if the
 22 district is comprised of more than 1 county, then the executive
 23 committee of the county committee of the respective political
 24 parties of each county in the district, may select, by a majority
 25 vote, a candidate for that office, and shall certify the name of
 26 the candidate to the county board of election commissioners of the
 27 county or counties comprising that representative district ~~within~~
 28 **not later than** 21 days after the vacancy occurs and at least 10
 29 days before the general election. Upon certification, the candidate

certified ~~shall be~~ **is** the nominee of that **political** party at that general election to fill the vacancy for the unexpired term with the same force and effect as if the ~~person~~ **individual** was nominated at a primary election as otherwise provided in this act. If the ballots for that **general** election have already been printed before the certification, then the board of election commissioners shall cause the names of the candidates to be printed on a separate ballot, which ballot ~~shall~~ **must** be counted, canvassed, and returned as other ballots cast at that **general** election.

(3) If the governor directs that the vacancy be filled at the next general election **as provided in subsection (2)**, the secretary of state shall give notice of that decision similar to the notice provided for in section 651.

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

(a) The May regular election date, which is the first Tuesday after the first Monday in May.

(b) The August regular election date, which is the first Tuesday after the first Monday in August.

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

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

(2) If an elective office is listed by name in section 643, requiring the election for that office to be held at the general election, and if candidates for the office are nominated at a primary election, the primary election ~~shall~~ **must** be held on the

1 August regular election date.

2 (3) Except as otherwise provided in this subsection and
3 subsection (4), a special election ~~shall~~**must** be held on a regular
4 election date. ~~A-Except as otherwise provided by law, a~~ special
5 election called by the governor under section 145, 178, 632, 633,
6 or 634 to fill a vacancy or called by the legislature to submit a
7 proposed constitutional amendment as authorized in section 1 of
8 article XII of the state constitution of 1963 may, but is not
9 required to be, held on a regular election date.

10 (4) A school district may call a special election to submit a
11 ballot question to borrow money, increase a millage, or establish a
12 bond if an initiative petition is filed with the county clerk. The
13 petition ~~shall~~**must** be signed by a number of qualified and
14 registered electors of the district equal to not less than 10% of
15 the electors voting in the last gubernatorial election in that
16 district or 3,000 signatures, whichever number is ~~lesser.~~**less.**
17 Section 488 applies to a petition to call a special election for a
18 school district under this section. In addition to the requirements
19 set forth in section 488, the proposed date of the special election
20 ~~shall~~**must** appear beneath the petition heading, and the petition
21 ~~shall~~**must** clearly state the amount of the millage increase or the
22 amount of the loan or bond sought and the purpose for the millage
23 increase or the purpose for the loan or bond. The petition ~~shall~~
24 **must** be filed with the county clerk by 4 p.m. of the twelfth
25 Tuesday before the proposed date of the special election. The
26 petition signatures ~~shall~~**must** be obtained within 60 days before
27 the filing of the petition. Any signatures obtained more than 60
28 days before the filing of the petition are not valid. If the
29 special election called by the school district is not scheduled to

1 be held on a regular election date as provided in subsection (1),
2 the special election ~~shall~~**must** be held on a Tuesday. A special
3 election called by a school district under this subsection ~~shall~~
4 **must** not be held within 30 days before or 35 days after a regular
5 election date as provided in subsection (1). A school district may
6 only call 1 special election ~~pursuant to~~**under** this subsection in
7 each calendar year.

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

10 (6) This section ~~shall~~**may** be known ~~and may be cited~~ as the
11 "Hammerstrom election consolidation law".

12 Enacting section 1. This amendatory act does not take effect
13 unless House Bill No. 4653 (request no. H03663'25) of the 103rd
14 Legislature is enacted into law.