

MICHIGAN ELECTION LAW (EXCERPT)

Act 116 of 1954

CHAPTER XXVII

SPECIAL PRIMARIES AND ELECTIONS

168.631 Special primary election; time.

Sec. 631. If a special election is called to fill a vacancy in any office, the candidates for which are regularly nominated in accordance with the provisions of this act relating to primary nominations, a special primary for all political parties must be held in the county, district, or city in which the vacancy occurs on a day as may, subject to section 641(3), be fixed by the official or legislative body calling the special election, but not less than 45 days before the date of the special election. The official or legislative body calling a special primary shall, in the call for the special primary, fix the time within which candidates may file nominating petitions.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2018, Act 120, Eff. Dec. 31, 2018.

Popular name: Election Code

168.632 Special elections; in absence of choice for representative in congress.

Sec. 632. The governor shall call a special election in any congressional district of the state in which there has been no choice for a representative in congress at the general November election, or he shall direct that in such case the office shall be filled at the next general election.

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.633 Special elections; vacancy in office of representative in congress.

Sec. 633. The governor shall call a special election in any congressional district of the state when the right of office of a person elected representative in congress shall cease before the commencement of the term of service for which he shall have been elected, or whenever a vacancy shall occur in the office of representative in congress after the term of service has begun for which such representative was elected; or the governor shall direct that such vacancy shall be filled at the next general election to be held at least 30 days after such vacancy shall occur.

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.634 Vacancy in office of state senator or representative; special or general election; selection and certification of candidate; separate ballot; notice.

Sec. 634. (1) Except as otherwise provided in this section, when a vacancy occurs in the office of senator or representative in the state legislature, the governor may call a special election in that senatorial or representative district or direct that the vacancy be filled at the next general election.

(2) If the vacancy occurs after the primary election and before the following general election the governor may direct that the vacancy be filled at that election. If the governor directs that the vacancy be filled at the following general election, the executive committee of the county committee of each political party, if the county comprises 1 or more representative districts, or, if the district is comprised of more than 1 county, then the executive committee of the county committee of the respective political parties of each county in the district, may select, by a majority vote, a candidate for that office, and shall certify the name of the candidate to the county board of election commissioners of the county or counties comprising that representative district within 21 days after the vacancy occurs and at least 10 days before the general election. Upon certification, the candidate certified shall be the nominee of that party at that general election to fill the vacancy for the unexpired term with the same force and effect as if the person was nominated at a primary election as otherwise provided in this act. If the ballots for that 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 be counted, canvassed, and returned as other ballots cast at that election.

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

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1978, Act 464, Eff. Mar. 30, 1979;—Am. 1980, Act 261, Imd. Eff. July 30, 1980;—Am. 1996, Act 583, Eff. Mar. 31, 1997.

Popular name: Election Code

168.634a Repealed. 1970, Act 10, Imd. Eff. Mar. 31, 1970.

Compiler's note: The repealed section provided for calling special election to fill vacancies in any court of record.

Popular name: Election Code

168.635 Special elections; proposition.

Sec. 635. A special election for the submission of a proposition must be held on a regular election date.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2003, Act 302, Eff. Jan. 1, 2005;—Am. 2018, Act 120, Eff. Dec. 31, 2018.

Popular name: Election Code

168.636 Applicability of act to special primary elections.

Sec. 636. The provisions of this act relative to primary election ballots shall be applicable to the ballots prepared for use at a special primary election.

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.637 Primary elections; provisions governing.

Sec. 637. All primary elections held in this state shall be governed by and conducted in accordance with the provisions of this act.

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.638 Special elections; notice.

Sec. 638. Whenever a special election shall be ordered by the governor to fill any vacancy, the secretary of state shall immediately notify the county clerk of each of the counties embraced in the election district, or the county clerk of the county the whole or part of which constitutes the election district, of the time of holding such election, the cause of such vacancy, the name of the officer and the time when the term of office will expire.

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.639, 168.640 Repealed. 2003, Act 302, Eff. Jan. 1, 2005.

Compiler's note: The repealed sections pertained to county election scheduling committee and calling special election in city with population of 1,000,000 or more persons.

Popular name: Election Code