168.303 Candidate for school board member; name on official ballot; nominating petition; form; signature violations; felony or misdemeanor; penalties; filing fee; withdrawal.

Sec. 303. (1) Subject to subsection (8), for an individual's name to appear on the official ballot as a candidate for school board member, the candidate shall file a nominating petition and the affidavit required by section 558 with the school district filing official not later than 4 p.m. on the fifteenth Tuesday before the election date. The nominating petition must be signed by the following number of electors of the school district:

(a) If the population of the school district is less than 10,000 according to the most recent federal census, a minimum of 6 and a maximum of 20.

(b) If the population of the school district is 10,000 or more according to the most recent federal census, a minimum of 40 and a maximum of 100.

(2) The nominating petition must be substantially in the form prescribed in section 544c, except that the petition must be nonpartisan and must include the following opening paragraph:

We, the undersigned, registered and qualified voters
of _____
and residents of the _____, the
             (legal name of school district)
county of _____, state of Michigan,
       (city or township)
nominate _____
       (name of candidate)
_____   _____,
(street address)   (city or township)
a registered and qualified elector of the district as a member of the board of education of the school district for a term of _____ years, expiring _____, to be voted for at the election to be held on the _____ day of
_____, _____.
  (month) (year)

(3) An individual shall not knowingly sign more nominating petitions for the same office than there are persons to be elected to the office. An individual who violates this subsection is guilty of a misdemeanor.

(4) An individual shall not do any of the following:

(a) Sign a nominating petition with a name other than his or her own.

(b) Make a false statement in a certificate on a nominating petition.

(c) If not a circulator, sign a nominating petition as a circulator.

(d) Sign a name as circulator other than his or her own.

(5) Except as otherwise provided in subsection (6), an individual who violates subsection (4) is guilty of a misdemeanor punishable by a fine of not more than $500.00 or imprisonment for not more than 93 days, or both.

(6) An individual shall not sign a nominating petition with multiple names. An individual who violates this subsection is guilty of a felony.

(7) If an individual signs a nominating petition in violation of this section, any signature by that individual on the petition is invalid and must not be counted.

(8) Instead of filing nominating petitions, a candidate for school board member may pay a nonrefundable filing fee of $100.00 to the school district filing official. If this fee is paid by the due date for a nominating petition, the payment has the same effect under this section as the filing of a nominating petition.

(9) A nominating petition filed under this chapter is subject to the examination and investigation process prescribed in section 552 as to its sufficiency and the validity and genuineness of the signatures on the nominating petition, and to the other procedures prescribed in that section relevant to a petition filed under this chapter.

(10) After a nominating petition is filed or filing fee is paid for a candidate for school board member, the candidate is not permitted to withdraw unless a written withdrawal notice, signed by the candidate, is filed with the school district filing official not later than 4 p.m. of the third day after the last day for filing the nominating petition. If the school district filing official is not a county clerk, the school district filing official shall notify the county clerk of the candidates' names and addresses not later than 3 days after the last day for

filing a withdrawal notice.

History: Add. 2003, Act 302, Eff. Jan. 1, 2005;—Am. 2012, Act 276, Eff. Aug. 16, 2012;—Am. 2018, Act 120, Eff. Dec. 31, 2018;—Am. 2018, Act 650, Imd. Eff. Dec. 28, 2018.

Compiler's note: In the form in subsection (2), the first instance of the descriptive element "(city or township)" is evidently positioned below the wrong blank line. The element should be positioned below the first blank line in the form.

Popular name: Election Code

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