



HOUSE BILL No. 4301

February 18, 1993, Introduced by Reprs. Alley and Middaugh and referred to the Committee on Education.

A bill to amend section 113 of Act No. 451 of the Public Acts of 1976, entitled as amended

"The school code of 1976,"

as amended by Act No. 263 of the Public Acts of 1992, being section 380.113 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 113 of Act No. 451 of the Public Acts of
2 1976, as amended by Act No. 263 of the Public Acts of 1992, being
3 section 380.113 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 113. (1) A candidate for member of the board shall be
6 nominated by petition. To obtain printing of the name of a can-
7 didate for a member of the board on the ballot, the candidate
8 shall file nomination petitions and an affidavit as provided in
9 section 558 of the Michigan election law, Act No. 116 of the

1 Public Acts of 1954, being section 168.558 of the Michigan
2 Compiled Laws, with the secretary of the board not later than 4
3 p.m. on the ~~thirtieth day~~ NINTH MONDAY before the date of the
4 election. However, if the ~~thirtieth day~~ NINTH MONDAY is a
5 ~~Saturday, Sunday, or~~ legal holiday, nomination petitions may be
6 filed with the secretary up to 4 p.m. on the next secular day.
7 Each petition shall be signed by a number of school electors of
8 the district equal to not less than 1% of the total number of
9 votes received by the candidate for member of the board of educa-
10 tion who received the greatest number of votes at the IMMEDIATELY
11 preceding annual election. The number of signatures shall not be
12 less than 20. A school elector shall not sign petitions for more
13 candidates than are to be elected. The petition shall be in the
14 form prescribed in section 1066.

15 (2) The secretary of the board shall canvass the petitions
16 to determine if they are signed by the requisite number of regis-
17 tered school electors. To determine the validity of the signa-
18 tures, the secretary may cause doubtful signatures to be checked
19 against the registration records of the clerk of the political
20 subdivision in which the petitions were circulated. The secre-
21 tary may use other methods for determining the validity of doubt-
22 ful signatures. If the secretary determines that the nomination
23 petitions of a candidate do not comply with legal requirements,
24 or if the candidate does not possess qualifications for member-
25 ship on the board, the secretary immediately shall notify the
26 candidate of that fact. If the nomination petitions are filed on
27 behalf of the secretary of the board, the treasurer of the board

1 shall perform the duties of the secretary in connection with
2 those petitions.

3 (3) A candidate may not withdraw unless a written notice of
4 withdrawal, signed by the candidate, is served on the secretary
5 of the board not later than 4 p.m. of the third day after the
6 last day for filing the petition. However, if the third day is a
7 Saturday, Sunday, or legal holiday, the notice of withdrawal may
8 be served on the secretary up to 4 p.m. on the next secular day.
9 The secretary of the board shall notify the county clerk of the
10 names and addresses of the candidates not later than 3 days after
11 the last day for candidate withdrawal. However, if the third day
12 is a Saturday, Sunday, or legal holiday, the notice may be made
13 on the next secular day.

14 (4) The secretary of the board shall have an official ballot
15 printed that contains a separate area for each term of office.
16 The ballot shall be substantially in the form provided in the
17 Michigan election law, Act No. 116 of the Public Acts of 1954, as
18 amended, being sections 168.1 to 168.992 of the Michigan Compiled
19 Laws, and the names of the candidates who have been nominated for
20 each term of office shall be printed in the proper place on the
21 ballot. Ballots shall be printed in the manner prescribed in
22 section 1008.