



HOUSE BILL No. 4322

February 23, 1993, Introduced by Reps. Brackenridge and Dobronski and referred to the Committee on Local Government.

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 1066. ~~558 of the Michigan election law, Act No. 116 of~~

~~1 the 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 before the date of the election.~~
~~4 However, if the thirtieth day is a Saturday, Sunday, or legal~~
~~5 holiday, nomination petitions may be filed with the secretary up~~
~~6 to 4 p.m. on the next secular day. Each petition shall be signed~~
~~7 by a number of school electors of the district equal to not less~~
~~8 than 1% of the total number of votes received by the candidate~~
~~9 for member of the board of education who received the greatest~~
~~10 number of votes at the preceding annual election. The number of~~
~~11 signatures shall not be less than 20. A school elector shall not~~
~~12 sign petitions for more candidates than are to be elected. The~~
~~13 petition shall be in the form prescribed in THE FORM AND CAN-~~
~~14 VASSING OF PETITIONS AND THE WITHDRAWAL OF CANDIDATES ARE GOV-~~
~~15 ERNED BY section 1066.~~

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

~~1 behalf of the secretary of the board, the treasurer of the board~~
~~2 shall perform the duties of the secretary in connection with~~
~~3 those petitions.~~

4 ~~(3) A candidate may not withdraw unless a written notice of~~
~~5 withdrawal, signed by the candidate, is served on the secretary~~
~~6 of the board not later than 4 p.m. of the third day after the~~
~~7 last day for filing the petition. However, if the third day is a~~
~~8 Saturday, Sunday, or legal holiday, the notice of withdrawal may~~
~~9 be served on the secretary up to 4 p.m. on the next secular day.~~
~~10 The secretary of the board shall notify the county clerk of the~~
~~11 names and addresses of the candidates not later than 3 days after~~
~~12 the last day for candidate withdrawal. However, if the third day~~
~~13 is a Saturday, Sunday, or legal holiday, the notice may be made~~
~~14 on the next secular day.~~

15 (4) The secretary of the board shall have an official ballot
16 printed ~~that contains a separate area for each term of office.~~
17 ~~The ballot shall be substantially in the form provided in the~~
18 ~~Michigan election law, Act No. 116 of the Public Acts of 1954, as~~
19 ~~amended, being sections 168.1 to 168.992 of the Michigan Compiled~~
20 ~~Laws, and the names of the candidates who have been nominated for~~
21 ~~each term of office shall be printed in the proper place on the~~
22 ~~ballot. Ballots shall be printed in the manner prescribed in~~
23 ~~section~~ SECTIONS 1008 AND 1067.