



HOUSE BILL No. 5420

November 28, 1995, Introduced by Rep. Hammerstrom and referred to the Committee on Local Government.

A bill to amend sections 624 and 626 of Act No. 116 of the Public Acts of 1954, entitled as amended "Michigan election law," section 624 as amended by Act No. 7 of the Public Acts of 1990 and section 626 as amended by Act No. 116 of the Public Acts of 1988, being sections 168.624 and 168.626 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 624 and 626 of Act No. 116 of the
2 Public Acts of 1954, section 624 as amended by Act No. 7 of the
3 Public Acts of 1990 and section 626 as amended by Act No. 116 of
4 the Public Acts of 1988, being sections 168.624 and 168.626 of
5 the Michigan Compiled Laws, are amended to read as follows:

1 Sec. 624. (1) A person holding a public office in this
2 state or a municipal subdivision of this state may become a
3 candidate for delegate to the county or district conventions.

4 (2) A candidate for delegate to the county or district con-
5 ventions of a political party shall be a qualified ~~—~~ AND regis-
6 tered elector residing within, as well as having his or her
7 actual bona fide residence within, the election precinct for
8 which he or she desires to become a candidate. A candidate shall
9 file ~~a petition~~ AN AFFIDAVIT OF IDENTITY AS PRESCRIBED IN SEC-
10 TION 558(1) with the county clerk of the county ~~not later than~~
11 OR THE CLERK OF THE CITY OR TOWNSHIP IN WHICH THE CANDIDATE
12 RESIDES. A CLERK SHALL RECEIVE AFFIDAVITS OF IDENTITY UNDER THIS
13 SECTION UP TO 4 p.m. on the ~~ninety first day~~ TWELFTH TUESDAY
14 preceding the time designated for holding a primary election in
15 the county. ~~, bearing the signatures of not less than 3 and not~~
16 ~~more than 20 registered electors residing within the precinct for~~
17 ~~which the petitioner desires to become a candidate. The petition~~
18 ~~shall be in the form required by the general laws of the state~~
19 ~~governing the filing of nominating petitions by candidates for~~
20 ~~other county offices at primary elections, and in addition shall~~
21 ~~state the candidate's place of residence and bear a signed cer-~~
22 ~~tificate of the candidate authorizing its filing.~~ WITHIN 4 DAYS
23 AFTER THE LAST DAY FOR FILING AFFIDAVITS OF IDENTITY UNDER THIS
24 SECTION, THE CITY OR TOWNSHIP CLERK SHALL DELIVER TO THE COUNTY
25 CLERK A LIST SETTING FORTH THE NAME, ADDRESS, POLITICAL AFFILIA-
26 TION, AND OFFICE SOUGHT OF EACH CANDIDATE WHO HAS QUALIFIED FOR A
27 POSITION ON THE PRIMARY BALLOT. All duly elected and certified

1 delegates shall be seated at the county or district county
2 conventions. A person violating this section is guilty of a
3 misdemeanor.

4 ~~(3) If the county clerk receives a sworn complaint, in~~
5 ~~writing, questioning the validity of the registration or genuine-~~
6 ~~ness of the signature of the circulator or of a person signing~~
7 ~~the petition, the county clerk shall forward the petition or~~
8 ~~petitions to the proper city clerk or township clerk. The city~~
9 ~~clerk or township clerk shall compare the signatures appearing on~~
10 ~~the petition with the signatures appearing on the registration~~
11 ~~record or in some other proper manner determine whether the sig-~~
12 ~~natures appearing on the petition are valid and genuine. If a~~
13 ~~request is made by the county clerk, the city clerk or township~~
14 ~~clerk shall complete the investigation and report his or her~~
15 ~~findings to the county clerk within 7 days after the request.~~
16 ~~Complaints respecting the validity or genuineness of signatures~~
17 ~~on the petitions shall not be acted upon unless received by the~~
18 ~~county clerk by the eighty fourth day preceding the primary~~
19 ~~election.~~

20 (3) ~~(4)~~ If a written complaint is made to the county clerk
21 with respect to the registration or bona fide residence, or both,
22 of a candidate, the county clerk shall check with the township or
23 city clerk of the township or city in which the candidate is reg-
24 istered or residing, or both. The township or city clerk shall
25 report back to the county clerk within 48 hours as to the regis-
26 tration or bona fide residence, or both, of the candidate. If
27 the township or city clerk's report shows that the candidate is

1 not a registered elector or a bona fide resident of the election
2 precinct of the township or city for which the petition shows the
3 candidate is a resident, the county clerk shall remove the name
4 of the candidate from the ballot. A complaint received by the
5 county clerk after the ballots have been released for printing
6 and before the primary election shall not be acted upon.

7 Sec. 626. The board of county election commissioners shall
8 prepare separate ballots for each of the several political par-
9 ties for each election precinct in the county. The ballots shall
10 be numbered consecutively and shall set forth the names of the
11 candidates for delegates who have filed ~~petitions~~ AFFIDAVITS OF
12 IDENTITY with the county, CITY, OR TOWNSHIP clerk under section
13 624. The ballot shall be prepared in such a manner that the
14 electors of each political party may write, print, or paste the
15 name of a candidate for delegate on the ballot. The delegate
16 ballot at a partisan primary shall consist of 1 sheet of 70-pound
17 white book paper, machine finished or equivalent, with 1 of the
18 political party tickets printed on each side of the ballot. The
19 names on the delegate ballot shall not be rotated. The ballots
20 shall be delivered to the county clerk for distribution to the
21 election precincts at least 10 days before the primary election.
22 However, if there is located within a county, subject to the pro-
23 visions of this chapter, 1 or more cities or townships, or parts
24 of cities or townships, in which voting machines are used, the
25 board of county election commissioners may, in its discretion,
26 dispense with the preparation of ballots for the election of

1 delegates to the county convention of the several political
2 parties and provide for their election upon the voting machines.