

SENATE BILL No. 1168

February 24, 2010, Introduced by Senator McMANUS and referred to the Committee on Campaign and Election Oversight.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 3, 52, 53, 92, 93, 132, 133, 162, 163, 192, 193, 223, 224, 253, 254, 322, 345, 349, 370, 409a, 412, 426a, 426c, 426d, 432, 433, 467a, 534, 535, 551, 559, 570a, 591, 592, 598, 611, 623a, 641, 642, 686a, 713, 714, 737a, and 821 (MCL 168.3, 168.52, 168.53, 168.92, 168.93, 168.132, 168.133, 168.162, 168.163, 168.192, 168.193, 168.223, 168.224, 168.253, 168.254, 168.322, 168.345, 168.349, 168.370, 168.409a, 168.412, 168.426a, 168.426c, 168.426d, 168.432, 168.433, 168.467a, 168.534, 168.535, 168.551, 168.559, 168.570a, 168.591, 168.592, 168.598, 168.611, 168.623a, 168.641, 168.642, 168.686a, 168.713, 168.714, 168.737a, and 168.821), sections 3, 322, and 821 as amended by 2003 PA 302, sections 53, 163, 193, 224, 254, 349, 426d, and 433 as amended by

1999 PA 218, sections 93 and 133 as amended by 2000 PA 491, sections 370 and 641 as amended by 2005 PA 71, section 467a as amended by 1981 PA 4, sections 534, 592, 598, and 623a as amended by 1988 PA 116, sections 551, 713, and 714 as amended by 1990 PA 7, section 591 as amended by 1990 PA 109, section 611 as amended by 1996 PA 583, section 642 as amended by 2004 PA 292, section 686a as amended by 1999 PA 216, and section 737a as amended by 2006 PA 87.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act:

2 (a) "Locked and sealed" is defined in section 14.

3 (b) "Major political party" is defined in section 16.

4 (c) "Metal seal" or "seal" is defined in section 14a.

5 (d) "Name that was formally changed" means a name changed by a
6 proceeding under chapter XI of the probate code of 1939, 1939 PA
7 288, MCL 711.1 to 711.3, or former 1915 PA 314, or through a
8 similar, statutorily sanctioned procedure under the law of another
9 state or country.

10 (e) "Odd year general election" means the election held on the
11 November regular election date in an odd numbered year.

12 (f) "Odd year primary election" means the election held on the
13 ~~August~~**MAY** regular election date in an odd numbered year.

14 (g) "Primary" or "primary election" is defined in section 7.

15 (h) "Qualified elector" is defined in section 10.

16 (i) "Qualified voter file" is defined in section 509m.

17 (j) "Regular election" means an election held on a regular
18 election date to elect an individual to, or nominate an individual
19 for, elective office in the regular course of the terms of that

1 elective office.

2 (k) "Regular election date" means 1 of the dates established
3 as a regular election date in section 641.

4 (l) "Residence" is defined in section 11.

5 Sec. 52. A general primary election of all political parties
6 shall be held in every election precinct in this state on the **FIRST**
7 Tuesday ~~succeeding~~**AFTER** the first Monday in ~~August~~**preceding** **MAY**
8 **BEFORE** every general November election in which a governor is to be
9 elected, at which time the qualified and registered electors of
10 each political party shall vote for party candidates for the office
11 of governor. This section ~~shall~~**DOES** not apply to parties required
12 to nominate candidates at caucuses or conventions.

13 Sec. 53. To obtain the printing of the name of a person as a
14 candidate for nomination by a political party for the office of
15 governor under a particular party heading upon the official primary
16 ballots, there shall be filed with the secretary of state
17 nominating petitions signed by a number of qualified and registered
18 electors residing in this state as determined under section 544f.
19 Nominating petitions shall be signed by at least 100 registered
20 resident electors in each of at least 1/2 of the congressional
21 districts of ~~the~~**THIS** state. Nominating petitions shall be in the
22 form as prescribed in section 544c. Nominating petitions shall be
23 ~~received by~~**FILED WITH** the secretary of state ~~for filing in~~
24 ~~accordance with this act up to~~**NO LATER THAN** 4 p.m. of the twelfth
25 Tuesday ~~preceding~~**BEFORE** the ~~August~~**MAY** primary.

26 Sec. 92. A general primary election of all political parties
27 shall be held in every election precinct in this state on the **FIRST**

1 Tuesday ~~succeeding~~ **AFTER** the first Monday in August ~~preceding~~ **MAY**
2 **BEFORE** every general November election, at which time the qualified
3 and registered electors of each political party may vote for a
4 party candidate for the office of United States senator, to be
5 filled at ~~said~~ **THE GENERAL NOVEMBER** election. ~~Provided, That this~~
6 **THIS** section ~~shall~~ **DOES** not apply to parties required to nominate
7 candidates at caucuses or conventions. ~~Provided further, That no~~
8 **HOWEVER, A** nomination for the office of United States senator shall
9 **NOT** be made unless ~~such~~ **THE** official is to be elected at the next
10 succeeding general November election.

11 Sec. 93. In order for the name of a person as a candidate for
12 nomination by a political party for the office of United States
13 senator to appear under a particular party heading on the official
14 primary ballot, a nominating petition shall be filed with the
15 secretary of state. The nominating petition shall have been signed
16 by a number of qualified and registered electors residing within
17 this state as determined under section 544f. The nominating
18 petition shall be signed by at least 100 qualified and registered
19 electors in each of at least 1/2 of the congressional districts of
20 this state. Nominating petitions shall be in the form as prescribed
21 in section 544c. The nominating petition shall be filed with the
22 secretary of state no later than 4 p.m. of the twelfth Tuesday
23 before the ~~August~~ **MAY** primary.

24 Sec. 132. A general primary election of all political parties
25 shall be held in every election precinct in this state on the **FIRST**
26 Tuesday ~~succeeding~~ **AFTER** the first Monday in August ~~preceding~~ **MAY**
27 **BEFORE** every general November election, at which time the qualified

1 and registered electors of each political party within every
2 congressional district shall vote for party candidates for the
3 office of representative in congress to be filled at ~~said~~**THE**
4 **GENERAL NOVEMBER** election. ~~Provided, That this~~**THIS** section shall
5 **DOES** not apply to parties required to nominate candidates at
6 caucuses or conventions.

7 Sec. 133. In order for the name of a person as a candidate for
8 nomination by a political party for the office of representative in
9 congress to appear under a particular party heading on the official
10 primary ballot in the election precincts of a congressional
11 district, a nominating petition shall have been signed by a number
12 of qualified and registered electors residing in the district as
13 determined under section 544f. If the congressional district
14 comprises more than 1 county, the nominating petition shall be
15 filed with the secretary of state no later than 4 p.m. of the
16 twelfth Tuesday before the ~~August~~**MAY** primary. If the congressional
17 district is within 1 county, the nominating petition shall be filed
18 with the county clerk of that county no later than 4 p.m. of the
19 twelfth Tuesday before the ~~August~~**MAY** primary. Nominating petitions
20 shall be in the form as prescribed in section 544c.

21 Sec. 162. A general primary election of all political parties
22 shall be held in every election precinct in this state on the **FIRST**
23 Tuesday ~~succeeding~~**AFTER** the first Monday in ~~August~~**preceding****MAY**
24 **BEFORE** every general November election, at which time the qualified
25 and registered electors of each political party within every
26 senatorial district and every representative district shall vote
27 for party candidates for the offices of state senator and

1 representative, to be filled at the **GENERAL** November election. +
2 ~~Provided, That this~~ **THIS** section shall ~~shall~~ **DOES** not apply to parties
3 required to nominate candidates at caucuses or conventions.

4 Sec. 163. (1) To obtain the printing of the name of a person
5 as a candidate for nomination by a political party for the office
6 of state senator or representative under a particular party heading
7 upon the official primary ballots in the various election precincts
8 of a district, there shall be filed nominating petitions signed by
9 a number of qualified and registered electors residing in the
10 district as determined under section 544f. If the district
11 comprises more than 1 county, the nominating petitions shall be
12 filed with the secretary of state. If the district comprises 1
13 county or less, the nominating petitions shall be filed with the
14 county clerk of that county. Nominating petitions shall be in the
15 form prescribed in section 544c. The secretary of state and the
16 various county clerks shall receive nominating petitions for filing
17 ~~in accordance with~~ **UNDER** this act up to 4 p.m. of the twelfth
18 Tuesday ~~preceding~~ **BEFORE** the ~~August~~ **MAY** primary.

19 (2) In lieu of filing a nominating petition, a filing fee of
20 \$100.00 may be paid to the county clerk or, for a candidate in a
21 district comprising more than 1 county, to the secretary of state.
22 Payment of the fee and certification of the name of the candidate
23 paying the fee shall be governed by the same provisions as in the
24 case of nominating petitions. The fee shall be deposited in the
25 general fund of the county and shall be refunded to candidates who
26 are nominated and to an equal number of candidates who receive the
27 next highest number of votes in the primary election. If 2 or more

1 candidates tie in having the lowest number of votes allowing a
2 refund, the sum of \$100.00 shall be divided among them. A refund of
3 a deposit shall not be made to a candidate who withdraws as a
4 candidate.

5 Sec. 192. A general primary election of all political parties
6 shall be held in every county of this state on the **FIRST** Tuesday
7 ~~succeeding~~ **AFTER** the first Monday in ~~August~~ ~~preceding~~ **MAY BEFORE**
8 the general November election at which the officers named in
9 section 191 ~~of this act~~ are to be elected, at which time the
10 qualified and registered electors of each political party may vote
11 for party candidates for the offices. This section ~~shall~~ **DOES** not
12 apply to parties required to nominate candidates at caucuses or
13 conventions.

14 Sec. 193. (1) To obtain the printing of the name of a person
15 as a candidate for nomination by a political party for an office
16 named in section 191 under a particular party heading upon the
17 official primary ballots, there shall be filed with the county
18 clerk nominating petitions signed by a number of qualified and
19 registered electors residing within the county as determined under
20 section 544f. Nominating petitions shall be in the form prescribed
21 in section 544c. The county clerk shall receive nominating
22 petitions up to 4 p.m. of the twelfth Tuesday ~~preceding~~ **BEFORE** the
23 ~~August~~ **MAY** primary.

24 (2) To obtain the printing of the name of a candidate of a
25 political party under the particular party's heading upon the
26 primary election ballots in the various voting precincts of the
27 county, there may be filed by the candidate, in lieu of filing

1 nomination petitions, a filing fee of \$100.00 to be paid to the
2 county clerk. Payment of the fee and certification of the
3 candidate's name paying the fee shall be governed by the same
4 provisions as in the case of nominating petitions. The fee shall be
5 deposited in the general fund of the county and shall be refunded
6 to candidates who are nominated and to an equal number of
7 candidates who receive the next highest number of votes in the
8 primary election. If 2 or more candidates tie in having the lowest
9 number of votes allowing a refund, the sum of \$100.00 shall be
10 divided among them. The deposits of all other defeated candidates,
11 as well as the deposits of candidates who withdraw or are
12 disqualified, shall be forfeited and the candidates shall be
13 notified of the forfeiture. Deposits forfeited under this section
14 shall be paid into and credited to the general fund of the county.

15 Sec. 223. A primary of all political parties shall be held on
16 the **FIRST** Tuesday ~~succeeding~~ **AFTER** the first Monday in ~~August~~
17 ~~preceding~~ **MAY BEFORE** the general November election in the year ~~1956~~
18 **2012** and every fourth year ~~thereafter~~ **AFTER 2012**, at which time the
19 qualified and registered electors of each political party may vote
20 for party candidates for nomination for the office of county
21 auditor. A primary of all political parties shall be held on the
22 third Monday in February ~~preceding~~ **BEFORE** the general April
23 election in the year 1957 and every fourth year ~~thereafter~~ **AFTER**
24 **1957**, and in the year 1959 and every fourth year ~~thereafter~~ **AFTER**
25 **1959**, at which time the qualified and registered electors of each
26 political party may vote for party candidates for nomination for
27 the office of county auditor. ~~÷ Provided, That this~~ **THIS** section

1 ~~shall~~**DOES** not apply to parties required to nominate candidates at
2 conventions.

3 Sec. 224. (1) To obtain the printing of the name of a person
4 as candidate for nomination by a political party for the office of
5 county auditor under a particular party heading upon the official
6 primary ballots, there shall be filed with the county clerk
7 nominating petitions signed by a number of qualified and registered
8 electors residing within the county as determined under section
9 544f. Nominating petitions shall be in the form prescribed in
10 section 544c. The county clerk shall receive nominating petitions
11 up to 4 p.m. of the twelfth Tuesday ~~preceding~~**BEFORE** the ~~August~~**MAY**
12 primary.

13 (2) To obtain the printing of the name of the candidate of a
14 political party under the particular party's heading upon the
15 primary election ballots in the various voting precincts of the
16 county, there may be filed by the candidate, in lieu of filing
17 nominating petitions, a filing fee of \$100.00 to be paid to the
18 county clerk. Payment of the fee and certification of the name of
19 the candidate paying the fee shall be governed by the same
20 provisions as in the case of nominating petitions. The fee shall be
21 deposited in the general fund of the county and shall be refunded
22 to candidates who are nominated and to an equal number of
23 candidates who received the next highest number of votes in the
24 primary election. If 2 or more candidates tie in having the lowest
25 number of votes allowing a refund, the sum of \$100.00 shall be
26 divided among them. The deposits of all other defeated candidates
27 and of candidates who withdraw or are disqualified shall be

1 forfeited and the candidates shall be notified of the forfeitures.
2 Deposits forfeited under this section shall be paid into and
3 credited to the general fund of the county.

4 Sec. 253. A general primary election of all political parties
5 shall be held on the **FIRST** Tuesday ~~succeeding~~ **AFTER** the first
6 Monday in ~~August preceding~~ **MAY BEFORE** every general November
7 election in which county road commissioners are elected, at which
8 time the qualified and registered electors of each political party
9 may vote for party candidates for the office of county road
10 commissioner.

11 Sec. 254. (1) To obtain the printing of the name of a person
12 as a candidate for nomination by a political party for the office
13 of county road commissioner under a particular party heading upon
14 the official primary ballots, there shall be filed with the county
15 clerk of the county nominating petitions signed by a number of
16 qualified and registered electors residing within the county as
17 determined under section 544f. Nominating petitions shall be in the
18 form prescribed in section 544c. The county clerk shall receive
19 nominating petitions up to 4 p.m. of the twelfth Tuesday ~~preceding~~
20 **BEFORE** the ~~August~~ **MAY** primary in which county road commissioners
21 are to be elected.

22 (2) To obtain the printing of the name of a candidate of a
23 political party under the particular party's heading upon the
24 primary election ballots in the various voting precincts of the
25 county, there may be filed by each candidate, in lieu of filing
26 nominating petitions, a filing fee of \$100.00 to be paid to the
27 county clerk. Payment of the fee and certification of the name of

1 the candidate paying the fee shall be governed by the same
2 provisions as in the case of nominating petitions. The fee shall be
3 deposited in the general fund of the county and shall be returned
4 to all candidates who are nominated and to an equal number of
5 candidates who received the next highest number of votes in the
6 primary election. If 2 or more candidates tie in having the lowest
7 number of votes allowing a refund, the sum of \$100.00 shall be
8 divided among them. The deposits of all other defeated candidates,
9 as well as the deposits of candidates who withdraw or are
10 disqualified, shall be forfeited and the candidates shall be
11 notified of the forfeitures. Deposits forfeited under this section
12 shall be paid into and credited to the general fund of the county.

13 Sec. 322. For the name of a candidate of a political party for
14 a city office, including a ward office, to appear under the
15 particular party heading on the official primary election ballots
16 for use in the city, a nominating petition shall be filed with the
17 city clerk not later than 4 p.m. on the twelfth Tuesday before the
18 ~~August~~**MAY** primary, or not later than 4 p.m. on the twelfth Tuesday
19 before the September primary election for a city that holds a
20 September primary election. A nominating petition shall be signed
21 by a number of qualified and registered electors of the political
22 party who reside in the city or ward as determined under section
23 544f. This section does not apply to a city if the city charter
24 provides for a different method of nominating candidates for public
25 office. The form of the petition shall be as provided in section
26 544c.

27 Sec. 345. A primary of all political parties shall be held in

1 every organized township of this state on the **FIRST** Tuesday
2 ~~succeeding~~**AFTER** the first Monday in ~~August~~ ~~preceding~~**MAY BEFORE**
3 every general November election, at which time the qualified and
4 registered electors of each political party may vote for party
5 candidates for township offices.

6 Sec. 349. (1) To obtain the printing of the name of a person
7 as a candidate for nomination by a political party for a township
8 office under the particular party heading upon the official primary
9 ballots, there shall be filed with the township clerk nominating
10 petitions signed by a number of qualified and registered electors
11 residing within the township as determined under section 544f.
12 Nominating petitions shall be in the form prescribed in section
13 544c. The township clerk shall receive nominating petitions up to 4
14 p.m. of the twelfth Tuesday ~~preceding~~**BEFORE** the ~~August~~**MAY**
15 primary.

16 (2) Within 4 days after the last day for filing nominating
17 petitions, the township clerk shall deliver to the county clerk a
18 list setting forth the name, address, ~~and~~ political affiliation,
19 and office sought of each candidate who has qualified for a
20 position on the primary ballot.

21 Sec. 370. (1) Except as provided in subsection (2), if a
22 vacancy occurs in an elective or appointive township office, the
23 vacancy shall be filled by appointment by the township board, and
24 the person appointed shall hold the office for the remainder of the
25 unexpired term.

26 (2) If 1 or more vacancies occur in an elective township
27 office that cause the number of members serving on the township

1 board to be less than the minimum number of board members that is
2 required to constitute a quorum for the transaction of business by
3 the board, the board of county election commissioners shall make
4 temporary appointment of the number of members required to
5 constitute a quorum for the transaction of business by the township
6 board. An official appointed under this subsection shall hold the
7 office only until the official's successor is elected or appointed
8 and qualified. An official who is temporarily appointed under this
9 subsection shall not vote on the appointment of himself or herself
10 to an elective or appointive township office.

11 (3) If a township official submits a written resignation from
12 an elective township office, for circumstances other than a
13 resignation related to a recall election, that specifies a date and
14 time when the resignation is effective, the township board, within
15 30 days before that effective date and time, may appoint a person
16 to fill the vacancy at the effective date and time of the
17 resignation. The resigning official shall not vote on the
18 appointment.

19 (4) Except as provided in subsection (5), if the township
20 board does not make an appointment under subsection (3), or if a
21 vacancy occurs in an elective township office and the vacancy is
22 not filled by the township board or the board of county election
23 commissioners within 45 days after the beginning of the vacancy,
24 the county clerk of the county in which the township is located
25 shall call a special election within 5 calendar days to fill the
26 vacancy. Not later than 4 p.m. on the fifteenth calendar day after
27 the county clerk calls a special election pursuant to this section,

1 the township party committee for each political party in the
2 township shall submit a nominee to fill the vacancy. The special
3 election shall be held on the next regular election date that is
4 not less than 60 days after the deadline for submitting nominees
5 under this section or 70 days after the deadline for submitting
6 nominees under this section if the next regular election date is
7 the even year ~~August~~ **MAY** primary or the general November election.
8 Notice of the special election shall be given in the same manner
9 required by section 653a. A special election called under this
10 section does not affect the rights of a qualified elector to
11 register for any other election. A person elected to fill a vacancy
12 shall serve for the remainder of the unexpired term.

13 (5) Subsection (4) does not apply to the office of township
14 constable. If a vacancy occurs in the office of township constable,
15 the township board shall determine if and when the vacancy shall be
16 filled by appointment. If the township board does not fill the
17 vacancy by appointment, the office of township constable shall
18 remain vacant until the next general or special election in which
19 township offices are filled.

20 Sec. 409a. A general nonpartisan primary election shall be
21 held in every appellate court district of this state on the **FIRST**
22 Tuesday ~~succeeding~~ **AFTER** the first Monday in ~~August~~ **MAY**
23 **BEFORE** every general November election in which judges of the court
24 of appeals are to be elected, at which time the qualified and
25 registered electors may vote for nonpartisan candidates for the
26 office of judge of the court of appeals. ~~Provided, however, That~~
27 **HOWEVER**, if, upon expiration of the time for filing petitions for

1 the primary election of ~~said~~ judge of the court of appeals in any
 2 appellate court district, it ~~shall appear~~ **APPEARS** that there are
 3 not to exceed twice the number of candidates as there are persons
 4 to be elected, then the secretary of state shall certify to the
 5 county board or boards of election commissioners the names of ~~such~~
 6 **THE** candidates for court of appeals judge whose nominating
 7 petitions, filing fee, or affidavit of candidacy ~~have~~ **HAS** been
 8 properly filed, and ~~such~~ **THE** candidates shall be the nominees for
 9 judge of the court of appeals and shall be so certified. As to ~~such~~
 10 **THE** office **OF JUDGE OF THE COURT OF APPEALS**, there shall be no
 11 primary election and this office shall be omitted from the judicial
 12 primary ballot.

13 Sec. 412. A general nonpartisan primary election shall be held
 14 in every county of this state on the **FIRST** Tuesday ~~succeeding~~ **AFTER**
 15 the first Monday in ~~August prior to~~ **MAY BEFORE** the general election
 16 at which judges of the circuit court are elected, at which time the
 17 qualified and registered electors may vote for nonpartisan
 18 candidates for the office of judge of the circuit court. If, upon
 19 the expiration of the time for filing petitions or incumbency
 20 affidavits of candidacy for the primary election of ~~said~~ judge of
 21 the circuit court in any judicial circuit, it ~~shall appear~~ **APPEARS**
 22 that there are not to exceed twice the number of candidates as
 23 there are persons to be elected, then the secretary of state shall
 24 certify to the county board of election commissioners the ~~name of~~
 25 ~~such candidate~~ **NAMES OF THE CANDIDATES** for circuit court judge
 26 whose petitions or affidavits have been properly filed, and ~~such~~
 27 ~~candidate~~ **THOSE CANDIDATES** shall be the ~~nominee~~ **NOMINEES** for the

1 judge of the circuit court and shall be so certified. As to ~~such~~
2 **THE** office **OF JUDGE OF THE CIRCUIT COURT**, there shall be no primary
3 election and this office shall be omitted from the judicial primary
4 ballot.

5 Sec. 426a. In ~~every~~ **A** city ~~having~~ **THAT HAS** a municipal court
6 of record having general criminal jurisdiction over felonies and
7 ~~having~~ **THAT HAS** a population of 1,000,000 or more, candidates for
8 the office of a judge of the municipal court shall be nominated at
9 the ~~August~~ **MAY** primary for state offices and elected at the general
10 election in even years.

11 Sec. 426c. A general nonpartisan primary election shall be
12 held in every ~~municipality~~ **CITY** described in section 426a, on the
13 **FIRST** Tuesday ~~succeeding~~ **AFTER** the first Monday in ~~August~~ **preceding**
14 **MAY BEFORE** any general November election, at which judges of the
15 municipal courts of record ~~therein~~ **IN THE CITY** are to be elected;
16 at which time the qualified and registered voters may vote for
17 nonpartisan candidates for the office of judge of ~~such~~ **THE**
18 municipal court of record. If, upon the expiration of the time for
19 filing petitions, for the primary election of the municipal judge
20 or judges in any municipality, there are not to exceed twice the
21 number of candidates than persons to be elected, then the city
22 clerk shall certify through the city board of canvassers the names
23 of the candidates for judge of the municipal court of record whose
24 petitions have been properly filed, who shall be the nominees for
25 judges of the municipal court of record and shall be so certified.
26 **AS TO THE OFFICE OF MUNICIPAL COURT OF RECORD**, there shall be no
27 primary election ~~, for~~ **AND** this office ~~and it~~ shall be omitted from

1 the official primary ballot.

2 Sec. 426d. (1) To obtain the printing of the name of a person
3 on the ballot as a candidate for the office of judge of the
4 municipal court of record, there shall be filed with the city clerk
5 nominating petitions containing the signatures, addresses, and
6 dates of signing of a number of qualified and registered electors
7 residing in that city as determined under section 544f. The city
8 clerk shall receive nominating petitions up to 4 p.m. of the
9 fourteenth Tuesday ~~preceding~~ **BEFORE** the ~~August~~ **MAY** primary. The
10 provisions of sections 544a and 544b apply.

11 (2) An incumbent judge of the municipal court of record may
12 become a candidate in the primary election for the office of which
13 the judge is the incumbent by filing, with the city clerk, an
14 affidavit of candidacy not less than 134 days before the date of
15 the primary election. The affidavit of candidacy shall contain
16 statements that the affiant is an incumbent judge of the municipal
17 court of record, is domiciled within the city, will not attain the
18 age of 70 by the date of election, and is a candidate for election
19 to the office of judge of the municipal court of record.

20 (3) Nominating petitions filed under this section are valid
21 only if they clearly indicate for which of the following offices
22 the candidate is filing, consistent with section 426k(3):

23 (a) An unspecified existing judgeship for which the incumbent
24 judge is seeking election.

25 (b) An unspecified existing judgeship for which the incumbent
26 judge is not seeking election.

27 (c) A new judgeship.

1 (4) A person who files nominating petitions for election to
2 more than 1 municipal court of record judgeship shall have not more
3 than 3 days following the close of filing to withdraw from all but
4 1 filing.

5 (5) In a primary and general election for 2 or more judgeships
6 where more than 1 of the categories in subsection (3) could be
7 selected, a candidate shall apply to the bureau of elections for a
8 written statement of office designation to correspond to the
9 judgeship sought by the candidate. The office designation provided
10 by the secretary of state shall be included in the heading of all
11 nominating petitions. Nominating petitions containing an improper
12 office designation are invalid.

13 (6) The secretary of state shall issue an office designation
14 of incumbent position for any judgeship for which the incumbent
15 judge is eligible to seek reelection. If an incumbent judge does
16 not file an affidavit of candidacy by the deadline, the secretary
17 of state shall notify all candidates for that office that a
18 nonincumbent position exists. All nominating petitions circulated
19 for the nonincumbent position subsequent to the deadline shall bear
20 an office designation of nonincumbent position. All signatures
21 collected prior to the affidavit of candidacy filing deadline may
22 be filed with the nonincumbent nominating petitions.

23 Sec. 432. A general nonpartisan primary election shall be held
24 in every county of this state on the **FIRST** Tuesday ~~succeeding~~ **AFTER**
25 the first Monday in ~~August preceding~~ **MAY BEFORE** every general
26 November election at which judges of probate are to be elected, at
27 which time the qualified and registered electors may vote for

1 nonpartisan candidates for the office of judge of probate. If upon
2 the expiration of the time for filing petitions or incumbency
3 affidavits of candidacy for the primary election of ~~said~~ probate
4 judges in any county it ~~shall appear~~ **APPEARS** that there are not to
5 exceed twice the number of candidates as there are persons to be
6 elected, then the county clerk shall certify to the county board of
7 election commissioners the ~~name of such candidate~~ **NAMES OF THE**
8 **CANDIDATES** for probate judge whose petitions have been properly
9 filed and ~~such candidate~~ **THE CANDIDATES** shall be the nominee
10 **NOMINEES** for the judge of probate and shall be so certified. As to
11 ~~such~~ **THE** office **OF JUDGE OF PROBATE**, there shall be no primary
12 election and this office shall be omitted from the judicial primary
13 ballot.

14 Sec. 433. (1) To obtain the printing of the name of a person
15 as a candidate for nomination for the office of judge of probate
16 upon the official nonpartisan primary ballots, there shall be filed
17 with the county clerk of each county nominating petitions
18 containing the signatures, addresses, and dates of signing of a
19 number of qualified and registered electors residing in the county
20 as determined under section 544f or by the filing of an affidavit
21 according to section 433a. The county clerk shall receive
22 nominating petitions up to 4 p.m. on the fourteenth Tuesday
23 ~~preceding~~ **BEFORE** the ~~August~~ **MAY** primary. The provisions of sections
24 544a and 544b apply.

25 (2) Nominating petitions filed under this section are valid
26 only if they clearly indicate for which of the following offices
27 the candidate is filing, consistent with section 435a(2):

1 (a) An unspecified existing judgeship for which the incumbent
2 judge is seeking election.

3 (b) An unspecified existing judgeship for which the incumbent
4 judge is not seeking election.

5 (c) A new judgeship.

6 (3) A person who files nominating petitions for election to
7 more than 1 probate judgeship shall have not more than 3 days
8 following the close of filing to withdraw from all but 1 filing.

9 (4) In a primary and general election for 2 or more judgeships
10 where more than 1 of the categories in subsection (2) could be
11 selected, a candidate shall apply to the bureau of elections for a
12 written statement of office designation to correspond to the
13 judgeship sought by the candidate. The office designation provided
14 by the secretary of state shall be included in the heading of all
15 nominating petitions. Nominating petitions containing an improper
16 office designation are invalid.

17 (5) The secretary of state shall issue an office designation
18 of incumbent position for any judgeship for which the incumbent
19 judge is eligible to seek reelection. If an incumbent judge does
20 not file an affidavit of candidacy by the deadline, the secretary
21 of state shall notify all candidates for that office that a
22 nonincumbent position exists. All nominating petitions circulated
23 for the nonincumbent position subsequent to the deadline shall bear
24 an office designation of nonincumbent position. All signatures
25 collected prior to the affidavit of candidacy filing deadline may
26 be filed with the nonincumbent nominating petitions.

27 Sec. 467a. Except as provided in section 467n, a general

1 nonpartisan primary election shall be held in every district and
2 election division of this state on the **FIRST** Tuesday ~~succeeding~~
3 **AFTER** the first Monday in ~~August prior to~~ **MAY BEFORE** the general
4 election at which judges of the district court are elected, at
5 which time the qualified and registered electors may vote for
6 nonpartisan candidates for judge of the district court. If, upon
7 the expiration of the time for filing petitions of candidacy for
8 the primary election of the judge of the district court in any
9 district or election division, it appears that there are not to
10 exceed twice the number of candidates as there are persons to be
11 elected, the secretary of state shall certify to the county board
12 of election commissioners the ~~name~~ **NAMES** of those candidates for
13 district court judge whose petitions or affidavits of candidacy
14 have been properly filed and those candidates shall be the nominees
15 for the judge of the district court and shall be so certified. As
16 to ~~that~~ **THE** office **OF JUDGE OF THE DISTRICT COURT**, there shall not
17 be a primary election and this office shall be omitted from the
18 judicial primary ballot.

19 Sec. 534. A general primary of all political parties, except
20 as provided in sections 532 and 685, shall be held in every
21 election precinct in this state on the **FIRST** Tuesday after the
22 first Monday in ~~August~~ **MAY** before every general November election,
23 at which time the qualified and registered voters of each political
24 party may vote for party candidates for the office of governor,
25 United States senator, representative in congress, state senator,
26 representative in the legislature, county executive, prosecuting
27 attorney, sheriff, county clerk, county treasurer, register of

1 deeds, county auditor, drain commissioner, public works
2 commissioner, county road commissioner, county mine inspector,
3 surveyor, and candidates for office in townships. A nomination for
4 an office shall be made only if the official is to be elected at
5 the next succeeding general November election.

6 Sec. 535. A general primary shall be held in every election
7 precinct in this state on the **FIRST** Tuesday ~~succeeding~~ **AFTER** the
8 first Monday in ~~August preceding~~ **MAY BEFORE** every general November
9 election, at which time the qualified and registered voters may
10 vote for nonpartisan candidates for the office of judge of the
11 court of appeals, judge of the circuit court, judge of probate and
12 for circuit court commissioner in the years in which ~~such~~ **THOSE**
13 officers are to be elected.

14 Sec. 551. The secretary of state and the various county,
15 township, and city clerks shall receive nominating petitions or
16 filing fees filed ~~in accordance with the provisions of~~ **UNDER** this
17 act up to 4 p.m., eastern standard time, of the twelfth Tuesday
18 ~~preceding~~ **BEFORE** the ~~August~~ **MAY** primary. ~~The provisions of this~~
19 **THIS** section ~~do~~ **DOES** not apply to a city that does not nominate its
20 officers under the provisions of this act.

21 Sec. 559. ~~It shall be the duty of the~~ **THE** board of election
22 commissioners of each county in this state ~~to~~ **SHALL** prepare and
23 furnish the necessary official primary election ballots, except for
24 city offices, ~~which~~ **THAT** may be required for use by the electors of
25 any political party at the ~~August~~ **MAY** primary.

26 Sec. 570a. (1) The official primary ballot shall include
27 candidates for township offices. Township offices and candidates

1 shall follow state and county offices and candidates. Parties
2 qualified to appear on the primary ballot for state and county
3 offices and no others are qualified to appear and have the names of
4 their candidates printed on the township portion of the primary
5 ballot. Parties qualified to nominate candidates for state and
6 county offices under the provisions of section 685 and no others
7 are qualified to nominate candidates for township offices at the
8 county caucuses provided in section 686a.

9 (2) All references in the election law to a February primary
10 shall be ~~deemed~~ **CONSIDERED** to be references to the primary provided
11 by the election law to be held in ~~August prior to~~ **MAY BEFORE** the
12 general November election, and all references to an April election
13 shall be ~~deemed~~ **CONSIDERED** to be references to the general November
14 election.

15 Sec. 591. Except as provided in section 532, the state
16 convention of all political parties for the nomination of
17 candidates for state offices in the even numbered years shall
18 commence not less than 60 days before the general November
19 election. The date, time, and location of the state convention
20 shall be designated by the state central committees of the various
21 political parties in their call for a state convention. The calls
22 shall be issued at least 60 days before the ~~August primaries~~ **MAY**
23 **PRIMARY**.

24 Sec. 592. (1) Except as provided in section 532, the county
25 conventions of all political parties for the election of delegates
26 to a state convention for the nomination of state officers in the
27 even numbered years shall be held not less than 8 days nor more

1 than 25 days after the ~~August primaries~~ **MAY PRIMARY**.

2 (2) All county conventions of a political party shall be held
3 on the same day throughout ~~the~~ **THIS** state. The date shall be
4 designated by the state central committee of a political party in
5 its call for the state convention. The place and hour of meeting of
6 a county convention shall be designated in the call issued by the
7 county committee of the political party in the county, which call
8 shall be issued not less than 45 days before the ~~August primaries~~
9 **MAY PRIMARY**. The number of delegates to the state convention to
10 which the political party in the county is entitled shall be chosen
11 at the county convention.

12 (3) In ~~all counties having or which may hereafter have~~ **A**
13 **COUNTY THAT HAS** 2 or more congressional districts or parts of
14 congressional districts within the boundaries of the county, the
15 congressional districts or a part of a congressional district
16 within the counties shall each be considered a county within the
17 provisions of this section for the holding of the county
18 conventions provided for in this section, and shall be in place of
19 the county convention. The nominee for congress of the
20 congressional district in the preceding primary election, the
21 county chairperson, and the county secretary of the several
22 political parties shall constitute a committee in each
23 congressional district to name the temporary chairperson of the
24 first district convention held under this act. Thereafter, the
25 district chairperson shall act as temporary chairperson. The
26 convention shall organize the same as county conventions and shall
27 elect delegates to the state convention. The chairperson and

1 secretary of the convention shall certify to the state central
2 committee the names and addresses of the delegates elected, and,
3 when certified, those delegates shall become the delegates from the
4 district to the state convention.

5 Sec. 598. (1) The state central committee of each political
6 party shall, at least 60 days before the ~~August~~**MAY** primary,
7 forward by mail to the chairperson of each county committee of the
8 political party a copy of the call for the fall state convention of
9 the political party, showing the number of delegates to which each
10 county is entitled in the state convention of the political party.
11 The state central committee shall apportion the delegates to the
12 several counties in proportion to the number of votes cast for the
13 candidate of the party for secretary of state in each county,
14 respectively, at the last preceding November general election.

15 (2) In addition to the number of delegates allocated to each
16 county under subsection (1), the state central committees shall
17 allocate an additional number of delegates equal to the number of
18 incumbent legislators nominated by their party and residing in the
19 county.

20 Sec. 611. (1) In the year 1956, and each fourth year after
21 1956, delegates of each political party who were elected to the
22 last prior fall county convention shall reconvene in a county
23 convention. The county conventions, when so convened, shall elect
24 delegates to a state convention. The number of delegates elected
25 shall be the same as the number elected to the last prior spring
26 state convention. The county conventions shall be held at least 90
27 days ~~prior to~~**BEFORE** the time set for the holding of the national

1 convention of its political party. All county conventions shall be
2 held on the same day and time. The time and place shall be fixed by
3 the state central committee. A state convention composed of
4 delegates elected by the respective county conventions shall be
5 held in the year 1956, and each fourth year after 1956, at least 60
6 days before the holding of the national convention of its political
7 party.

8 (2) As used in this section:

9 (a) "Delegates of each political party who were elected to the
10 last prior fall county convention" means precinct delegates elected
11 at the last prior ~~August~~**MAY** primary election, persons nominated as
12 candidates for county offices and state legislative offices who are
13 delegates at large to county conventions under section 599(5), and
14 delegates elected under section 622 or 624d to fill a precinct
15 delegate vacancy for the balance of an unexpired term.

16 (b) "Persons nominated as candidates for county offices and
17 state legislative offices who are delegates at large to county
18 conventions under section 599(5)" means incumbent county officials,
19 incumbent state legislators, and unsuccessful candidates for county
20 offices and state legislative offices who are candidates at the
21 last prior regular or special election held for the respective
22 office.

23 (3) Delegates to a state convention shall include only those
24 delegates elected at a county convention.

25 Sec. 623a. (1) On or before April 1 in even numbered years,
26 the chairperson of the county committee or district committee of a
27 congressional district or a part of a congressional district

1 considered a county under section 592 of each political party shall
2 forward by mail or otherwise deliver to the board of election
3 commissioners in that county a certificate showing the number of
4 delegates to the county convention to which each precinct of the
5 county is entitled. The chairperson of the state central committee
6 of a political party shall notify the chairperson of the county
7 committee or district committee of a congressional district or a
8 part of a congressional district considered a county under section
9 592 of that political party no later than March 1 in even numbered
10 years that the certificate required by this subsection is to be
11 delivered to the board of election commissioners on or before April
12 1 of that year.

13 (2) If the chairperson fails to forward the certificate
14 required by subsection (1) by the day specified, the board of
15 election commissioners shall immediately determine the number of
16 delegates to the county convention that each precinct should elect
17 for the implementation of this act.

18 (3) The allotment of delegates to all precincts in the state
19 shall be made to insure, as near as is practicable, equal
20 apportionment based upon the total vote cast for the candidate of
21 each political party for either president of the United States or
22 secretary of state at the last general November election when
23 elections for those offices were held, whichever is later. However,
24 each precinct shall have at least 1 delegate.

25 (4) The apportionment shall be based on the precincts as they
26 exist 180 days before the ~~August~~ **MAY** primary election in even
27 numbered years.

1 (5) As many delegates in each precinct as a political party is
2 entitled to according to the certificate authorized by the
3 chairperson of the county committee or the board of election
4 commissioners shall be elected at the ~~August~~**MAY** primary in even
5 numbered years by direct vote of the registered electors of each
6 political party in the county.

7 Sec. 641. (1) Except as otherwise provided in this section and
8 sections 642 and 642a, ~~beginning January 1, 2005,~~ an election held
9 under this act shall be held on 1 of the following regular election
10 dates:

11 (a) The February regular election date, which is the fourth
12 Tuesday in February.

13 (b) The May regular election date, which is the first Tuesday
14 after the first Monday in May.

15 (c) The August regular election date, which is the first
16 Tuesday after the first Monday in August.

17 (d) The November regular election date, which is the first
18 Tuesday after the first Monday in November.

19 (2) If an elective office is listed by name in section 643,
20 requiring the election for that office to be held at the general
21 election, and if candidates for the office are nominated at a
22 primary election, the primary election shall be held on the ~~August~~
23 **MAY** regular election date.

24 (3) Except as otherwise provided in this subsection and
25 subsection (4), a special election shall be held on a regular
26 election date. A special election called by the governor under
27 section 145, 178, 632, 633, or 634 to fill a vacancy or called by

1 the legislature to submit a proposed constitutional amendment as
2 authorized in section 1 of article XII of the state constitution of
3 1963 may, but is not required to be, held on a regular election
4 date.

5 (4) A school district may call a special election to submit a
6 ballot question to borrow money, increase a millage, or establish a
7 bond if an initiative petition is filed with the county clerk. The
8 petition shall be signed by a number of qualified and registered
9 electors of the district equal to not less than 10% of the electors
10 voting in the last gubernatorial election in that district or 3,000
11 signatures, whichever number is lesser. Section 488 applies to a
12 petition to call a special election for a school district under
13 this section. In addition to the requirements set forth in section
14 488, the proposed date of the special election shall appear beneath
15 the petition heading, and the petition shall clearly state the
16 amount of the millage increase or the amount of the loan or bond
17 sought and the purpose for the millage increase or the purpose for
18 the loan or bond. The petition shall be filed with the county clerk
19 by 4 p.m. of the twelfth Tuesday before the proposed date of the
20 special election. The petition signatures shall be obtained within
21 60 days before the filing of the petition. Any signatures obtained
22 more than 60 days before the filing of the petition are not valid.
23 If the special election called by the school district is not
24 scheduled to be held on a regular election date as provided in
25 subsection (1), the special election shall be held on a Tuesday. A
26 special election called by a school district under this subsection
27 shall not be held within 30 days before or 35 days after a regular

1 election date as provided in subsection (1). A school district may
2 only call 1 special election pursuant to this subsection in each
3 calendar year.

4 ~~—— (5) The secretary of state shall make a report to the house
5 and senate committees that consider election issues by December 1,
6 2006. The secretary of state shall report about the special
7 elections held under this subsection, including, but not limited
8 to, all of the following:~~

9 ~~—— (a) The number of times a special election has been held.~~

10 ~~—— (b) Which school districts have held special elections.~~

11 ~~—— (c) Information about the success rate of the ballot question
12 submitted at the special elections.~~

13 ~~—— (d) Information about voter turnout, including the percentage
14 and number of registered voters who voted in each special election.~~

15 (5) ~~(6)~~—The secretary of state shall direct and supervise the
16 consolidation of all elections held under this act.

17 (6) ~~(7)~~—This section shall be known and may be cited as the
18 "Hammerstrom election consolidation law".

19 Sec. 642. (1) Except as otherwise provided in this section and
20 section 642a, on the effective date of this act, a city shall hold
21 its regular election or regular primary election as follows:

22 (a) A city shall hold its regular election for a city office
23 at the odd year general election.

24 (b) A city shall hold its regular election primary at the odd
25 year primary election.

26 (c) A city that holds its regular election for a city office
27 annually or in the even year on the November regular election date

1 shall continue holding elections on that schedule.

2 (d) A city that holds its regular election primary for a city
3 office annually or in the even year on the August regular primary
4 election date shall ~~continue holding primary elections on that~~
5 ~~schedule~~**HOLD ITS REGULAR ELECTION PRIMARY FOR A CITY OFFICE**
6 **ANNUALLY OR IN THE EVEN YEAR ON THE MAY REGULAR PRIMARY ELECTION**
7 **DATE.**

8 (2) If, on September 1, 2004, a city holds its regular
9 election at other than a regular November election date, the city
10 council may choose to hold the regular election on the May regular
11 election date by adopting a resolution in compliance with this
12 section. Except as provided in section 642a, if a city council
13 adopts the resolution in compliance with this section to hold its
14 regular election on the May regular election date, after December
15 31, 2004, the city's regular election is on the May regular
16 election date. If a city's regular election is held on the May
17 regular election date, the city's regular election primary shall be
18 held on the February regular election date immediately before its
19 regular election.

20 (3) If, on September 1, 2004, a city holds its regular
21 election annually or in the even year on the November regular
22 election date, the city council may choose to hold the regular
23 election at the odd year general election by adopting a resolution
24 in compliance with this section. Except as provided in section
25 642a, if a city council adopts the resolution in compliance with
26 this section to hold its regular election at the odd year general
27 election, after December 31, 2004, the city's regular election is

1 at the odd year election. If a city's regular election is held at
2 the odd year general election, the city's regular election primary
3 shall be held at the odd year primary election.

4 (4) If, on September 1, 2004, a city holds its regular
5 election annually on the November regular election date, the city
6 council may choose to hold the regular election at the even year
7 general election by adopting a resolution in compliance with this
8 section. Except as provided in section 642a, if a city council
9 adopts the resolution in compliance with this section to hold its
10 regular election at the even year general election, after December
11 31, 2004, the city's regular election is at the even year election.
12 If a city's regular election is held at the even year general
13 election, the city's regular election primary shall be held at the
14 even year primary election.

15 (5) If, on September 1, 2004, a city holds its regular
16 election primary at the September primary election, the city
17 council may choose to continue holding its regular election primary
18 at the September primary election by adopting a resolution in
19 compliance with this section. Except as provided in section ~~642a(2)~~
20 **642A**, if a city council adopts the resolution in compliance with
21 this section to hold its regular election primary at the September
22 primary election, after December 31, 2004, the city's regular
23 election primary is at the September primary election.

24 (6) Except as otherwise provided in this section and section
25 642a, on September 1, 2004, a village shall hold its regular
26 election as follows:

27 (a) A village shall hold its regular election for a village

1 office at the general election and the appropriate township clerk
2 shall conduct the election.

3 (b) A village shall not hold a regular primary election.

4 (7) A village council may make a 1-time choice to hold the
5 regular election at the September primary election by adopting a
6 resolution in compliance with this section. Except as provided in
7 section 642a, if a village council adopts the resolution in
8 compliance with this section to hold its regular election at the
9 September primary election, after December 31, 2004, the village's
10 regular election is at the September primary election and the
11 village clerk shall conduct the election. The resolution may
12 provide for the terms of office and for staggered terms. If a
13 village's regular or special election is held in conjunction with
14 another election conducted by a township, the village shall pay the
15 township a proportionate share of the election expenses. If a
16 village's regular or special election is not held in conjunction
17 with another election conducted by a township, the village shall
18 pay the township 100% of the actual costs of conducting the
19 village's regular or special election. The township shall make
20 voting equipment available to a village if the village conducts an
21 election. If the village is located in more than 1 township, the
22 township with the largest number of village electors shall furnish
23 the voting equipment.

24 (8) Except as otherwise provided in this section and section
25 642a, on September 1, 2004, a school district shall hold its
26 regular election for the office of school board member at the odd
27 year general election.

1 (9) If, on September 1, 2004, a school district holds its
2 regular election at other than the odd year general election, the
3 school district's school board may choose to hold its regular
4 election on 1 of the following by adopting a resolution in
5 compliance with this section:

6 (a) The odd year May regular election date.

7 (b) The November regular election date in both even and odd
8 years.

9 (c) The May regular election date in both even and odd years.

10 (10) A resolution permitted under this section or section 642a
11 is valid only if a city council, village council, or school board
12 adopts the resolution in compliance with all of the following:

13 (a) The resolution is adopted before 1 of the following:

14 (i) If the resolution is permitted under subsection (2), (3),
15 (4), (5), (7), or (9) of this section, January 1, 2005.

16 (ii) If the resolution is permitted under section 642a(1), (2),
17 or (3), January 1 of the year in which the change in the date of
18 the election takes effect.

19 (b) Before adopting the resolution, the council or school
20 board holds at least 1 public hearing on the resolution. The public
21 hearing may be held on the same day and immediately before
22 considering the adoption of the resolution.

23 (c) The council or school board gives notice of each public
24 hearing on the resolution in a manner designed to reach the largest
25 number of the jurisdiction's qualified electors in a timely
26 fashion, and the notice states at least the following, as
27 applicable:

1 (i) That the hearing is being held on the issue of whether to
2 schedule the city's regular election on the May regular election
3 date and that, if the resolution is not adopted, the city's regular
4 election will be held at the odd year general election.

5 (ii) That the hearing is being held on the issue of whether to
6 schedule the city's regular election primary at the September
7 primary election and that, if the resolution is not adopted, the
8 city's regular election primary will be held on the odd year
9 primary election.

10 (iii) That the hearing is being held on the issue of whether to
11 schedule the village's regular election at the September primary
12 election and that, if the resolution is not adopted, the village's
13 regular election will be held at the general election.

14 (iv) That the hearing is being held on the issue of whether to
15 schedule the school district's regular election at other than the
16 odd year general election and that, if the resolution is not
17 adopted, the school district's regular election will be held at the
18 odd year general election. The notice shall specifically state the
19 regular election date permitted under subsection (8) on which the
20 school board is proposing that the school district's regular
21 election be held.

22 (v) That the hearing is being held on the issue of whether to
23 schedule the school district's regular election at the odd year
24 general election and that, if the resolution is not adopted, the
25 school district's regular election will continue to be held on the
26 date on which it is currently being held.

27 (d) The council or school board votes on the resolution and,

1 on a record roll call vote, a majority of the council's or school
2 board's members, elected or appointed, and serving, adopt the
3 resolution.

4 (e) The council or school board files the resolution with the
5 secretary of state.

6 ~~———— (11) This section takes effect September 1, 2004.~~

7 Sec. 686a. (1) If a political party entitled to a position on
8 the ballot failed to have at least 1 candidate who polled at least
9 5% of the total vote cast for all candidates for secretary of state
10 at the last preceding election at which a secretary of state was
11 elected, candidates for that political party shall be nominated as
12 provided in section 532. County caucuses and state conventions for
13 ~~such~~ **THESE** political parties shall be held not later than the
14 ~~August~~ **MAY** primary.

15 (2) County caucuses may nominate candidates for the office of
16 representative in congress, state senator, and state representative
17 if the offices represent districts contained wholly within the
18 county, and for all county and township offices. Not more than 1
19 business day after the conclusion of the caucus, the names and
20 mailing addresses of all candidates so nominated and the offices
21 for which they were nominated shall be certified by the chairperson
22 and secretary of the caucus to the county clerk. The certification
23 shall be accompanied by an affidavit of identity for each candidate
24 named in the certificate as provided in section 558 and a separate
25 written certificate of acceptance of nomination signed by each
26 candidate named on the certificate. The form of the certificate of
27 acceptance shall be prescribed by the secretary of state. If a

1 candidate is so certified with the accompanying affidavit of
2 identity and certificate of acceptance, the name of the candidate
3 shall be printed on the ballot for that election. Candidates
4 nominated and certified shall not be permitted to withdraw.

5 (3) The county caucus may also select the number of delegates
6 to the state convention to which the county is entitled and shall
7 select its own officers and name its own county committee.

8 (4) The state convention shall be held at the time and place
9 indicated in the call. The convention shall consist of delegates
10 selected by the county caucuses. The convention may fill vacancies
11 in a delegation from qualified electors of that county present at
12 the convention. The convention may nominate candidates for all
13 state offices. District candidates may be nominated at district
14 caucuses held in conjunction with the state convention attended by
15 qualified delegates of the district. If delegates of a district are
16 not present, a district caucus shall not be held for that district
17 and candidates shall not be nominated for that district. Not more
18 than 1 business day after the conclusion of the convention, the
19 names and mailing addresses of the candidates nominated for state
20 or district offices shall be certified by the chairperson and
21 secretary of the state convention to the secretary of state. The
22 certification shall be accompanied by an affidavit of identity for
23 each candidate named in the certificate as provided in section 558
24 and a separate written certificate of acceptance of nomination
25 signed by each candidate named on the certificate. The form of the
26 certificate of acceptance shall be prescribed by the secretary of
27 state. The names of candidates so certified with accompanying

1 affidavit of identity and certificate of acceptance shall be
2 printed on the ballot for the forthcoming election. Candidates so
3 nominated and certified shall not be permitted to withdraw.

4 Sec. 713. The county board of election commissioners shall
5 cause the ballots required for any regular or special election or
6 official primary election in the county, wrapped and tied as
7 required by this act, to be delivered to the county clerk at the
8 earliest possible time after the approval of the proof of the
9 ballots, and absent voter ballots shall be delivered to the county
10 clerk at least 47 days before the general November election and the
11 preceding ~~August~~ **MAY** primary and at least 22 days before any other
12 election or primary election. All other ballots and election
13 supplies shall be delivered to the county clerk at least 12 days
14 before any election or primary election.

15 Sec. 714. (1) The county clerk of each county, at the earliest
16 possible time and at least 45 days before the general November
17 election and the preceding ~~August~~ **MAY** primary, and at least 20 days
18 before any other election or primary election in the county, shall
19 cause to be delivered to the clerk of each township and city in the
20 county the absent voter ballots for each precinct.

21 (2) The county clerk of each county shall cause to be
22 delivered ballots, other than absent voter ballots, and election
23 supplies to the clerk of each township and city in the county at
24 least 10 days before any election or primary election.

25 (3) The county clerk shall take receipt from each township and
26 city clerk for all ballots and supplies delivered to that clerk.

27 Sec. 737a. (1) Except as otherwise provided in this section,

1 the board of election inspectors shall not count a write-in vote
2 for a person unless that person has filed a declaration of intent
3 to be a write-in candidate as provided in this section. The write-
4 in candidate shall file the declaration of intent to be a write-in
5 candidate with the filing official for that elective office on or
6 before 4 p.m. on the second Friday immediately before the election.
7 The secretary of state, immediately after the 4 p.m. filing
8 deadline under this subsection, shall prepare and have delivered a
9 list of all persons who have filed a declaration of intent to be a
10 write-in candidate under this subsection, if any, to the
11 appropriate county clerks. A filing official other than the
12 secretary of state who receives a declaration of intent to be a
13 write-in candidate or list of persons who filed a declaration of
14 intent from another filing official under this subsection shall
15 prepare and have delivered a list of all persons who have filed a
16 declaration of intent to be a write-in candidate to the board of
17 election inspectors in the appropriate precincts before the close
18 of the polls on election day.

19 (2) If a candidate whose name is printed on the official
20 ballot for the election dies or is otherwise disqualified on or
21 after the Wednesday immediately before the election, the
22 requirement of filing a declaration of intent to be a write-in
23 candidate under subsection (1) does not apply to a write-in
24 candidate. If a death or disqualification has occurred as described
25 in this subsection, the board of election inspectors shall count
26 all write-in votes for write-in candidates for the office sought by
27 the deceased or disqualified candidate.

1 (3) Subsections (1) and (2) do not apply to a write-in
2 candidate for precinct delegate. The board of election inspectors
3 shall not count a write-in vote for a write-in candidate for
4 precinct delegate unless that candidate has filed a declaration of
5 intent to be a write-in candidate as provided in this subsection. A
6 write-in candidate for precinct delegate shall file a declaration
7 of intent to be a write-in candidate with the appropriate city or
8 township clerk for that precinct on or before 4 p.m. on the Friday
9 immediately before the election or with the board of election
10 inspectors in the appropriate precinct before the close of the
11 polls on election day. A city or township clerk who receives a
12 declaration of intent to be a write-in candidate from a write-in
13 candidate for precinct delegate under this subsection shall prepare
14 and have delivered a list of all persons who have filed a
15 declaration of intent to be a write-in candidate to the board of
16 election inspectors in the appropriate precincts before the close
17 of the polls on election day.

18 (4) The secretary of state shall prescribe forms for the
19 declaration of intent to be a write-in candidate. Clerks shall
20 maintain a supply of declaration of intent to be a write-in
21 candidate forms in the clerk's office and make the forms available
22 in the polling places during the ~~August~~**MAY** primary for this
23 purpose. The declaration of intent to be a write-in candidate form
24 shall include all of the following information:

25 (a) The name of the person intending to be a write-in
26 candidate.

27 (b) The elective office that the person seeks as a write-in

1 candidate.

2 (c) The residence address of the person seeking elective
3 office as a write-in candidate.

4 (d) Other information the secretary of state considers
5 appropriate.

6 Sec. 821. (1) The board of county canvassers shall meet at the
7 office of the county clerk at 1 p.m. on the day after the day of a
8 general election, ~~August~~**MAY** primary, or presidential primary
9 election in the county. Except as provided in subsection (2), for
10 other elections the board shall meet within 5 days following the
11 election.

12 (2) If, at an election held on the May regular election date,
13 a ballot question appears on the ballot concerning authorized
14 millage that is subject to a millage reduction as provided in
15 section 34d of the general property tax act, 1893 PA 206, MCL
16 211.34d, the board of county canvassers shall meet to canvass and
17 certify the results of the vote on that proposition after May 31
18 and before June 15 following the election.