

**SUBSTITUTE FOR
SENATE BILL NO. 809**

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 37, 51, 71, 91, 131, 161, 191, 254, 281, 302,
303, 342, 381, 383, 391, 409, 409b, 411, 413, 413a, 431, 433, 433a,
467, 467a, 467b, 467c, 616a, 624, 624a, 631, 635, 642c, 644e, 654a,
657, 667, 668a, 669, 670, 673a, 674, 677, 679, 679a, 682, 683, 690,
694, 719, 741, 743, 762, 764b, 764c, 765, 766, and 957 (MCL 168.37,
168.51, 168.71, 168.91, 168.131, 168.161, 168.191, 168.254,
168.281, 168.302, 168.303, 168.342, 168.381, 168.383, 168.391,
168.409, 168.409b, 168.411, 168.413, 168.413a, 168.431, 168.433,
168.433a, 168.467, 168.467a, 168.467b, 168.467c, 168.616a, 168.624,
168.624a, 168.631, 168.635, 168.642c, 168.644e, 168.654a, 168.657,
168.667, 168.668a, 168.669, 168.670, 168.673a, 168.674, 168.677,
168.679, 168.679a, 168.682, 168.683, 168.690, 168.694, 168.719,

168.741, 168.743, 168.762, 168.764b, 168.764c, 168.765, 168.766, and 168.957), section 37 as added by 2002 PA 91, sections 51, 91, 131, and 383 as amended by 1982 PA 505, sections 71, 161, 191, 281, 342, 391, 409, 411, 431, and 467 as amended by 1999 PA 218, sections 254, 303, 409b, 413, 413a, 433, 433a, 467b, 467c, 624, and 644e as amended by 2012 PA 276, section 302 as amended and section 642c as added by 2011 PA 233, section 381 as amended by 2012 PA 523, section 467a as amended by 1981 PA 4, section 616a as added by 1988 PA 275, section 624a as amended by 1988 PA 116, sections 635 and 690 as amended by 2003 PA 302, section 654a as added by 1994 PA 401, section 668a as added by 2004 PA 96, section 669 as amended by 2000 PA 207, sections 673a and 679 as amended by 1996 PA 583, sections 674, 764b, and 765 as amended by 1996 PA 207, section 677 as amended by 2012 PA 157, section 679a as amended by 2012 PA 271, section 719 as amended by 2017 PA 113, section 764c as added by 2012 PA 270, and section 766 as amended by 2005 PA 71; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 37. (1) The secretary of state shall select a uniform
 2 voting system under the provisions of this section. The secretary
 3 of state shall convene an advisory committee on the selection of
 4 the uniform voting system, whose membership represents county,
 5 city, and township election officials and other relevant
 6 organizations. In addition, the speaker and minority leader of the
 7 house of representatives and the majority and minority leaders of
 8 the senate may each appoint 1 advisory committee member.

9 (2) The secretary of state may conduct tests of a voting

1 system in order to select the uniform voting system. The secretary
2 of state shall not consider a voting system for selection as the
3 uniform voting system unless the voting system is approved and
4 certified as provided in section 795a. At the secretary of state's
5 request, the board of state canvassers shall perform the approval
6 and certification review, as provided in section 795a, of a voting
7 system that the secretary of state wants to consider for selection
8 as the uniform voting system.

9 (3) When the uniform voting system is selected or at an
10 earlier time that the secretary of state considers advisable, the
11 secretary of state shall notify each county, city, village,
12 township, and school district about the selection or impending
13 selection of the uniform voting system. A governmental unit that is
14 notified under this subsection shall not purchase or enter into a
15 contract to purchase a voting system other than the uniform voting
16 system after receipt of the notice.

17 (4) After selection of the uniform voting system, the
18 secretary of state shall establish a schedule for acquisition and
19 implementation of the uniform voting system throughout ~~the~~**THIS**
20 state. The secretary of state may devise a schedule that institutes
21 the uniform voting system over several election cycles. The
22 secretary of state shall widely publicize the schedule and changes
23 to the schedule. If, however, a jurisdiction has acquired a new
24 voting system within 8 years before the jurisdiction receives
25 notice from the secretary of state under subsection (3), that
26 jurisdiction ~~shall~~**IS** not ~~be~~ required to acquire and use the
27 uniform voting system until the expiration of 10 years after the

1 date of the original purchase of the equipment.

2 (5) If, after selection of the uniform voting system, the
3 secretary of state determines that the uniform voting system no
4 longer serves the welfare of the voters or has become out of date
5 in regards to voting system technology, the secretary of state may
6 repeat the process for selecting the uniform voting system
7 authorized under this section.

8 (6) This section does not apply until money is appropriated
9 for the purpose of selecting, acquiring, and implementing the
10 uniform voting system. If federal money becomes available for the
11 purposes described in this section, the secretary of state shall,
12 and the legislature intends to, take the steps necessary to qualify
13 for and appropriate that money for the purposes described in this
14 section.

15 ~~———— (7) If an appropriation of money for the purposes described in~~
16 ~~this section is not signed into law before January 1, 2006, this~~
17 ~~section is repealed on January 1, 2006.~~

18 Sec. 51. A person shall ~~IS~~ not be eligible to the office of
19 governor or lieutenant governor unless the person has attained the
20 age of 30 years and has been a registered and qualified elector in
21 this state for 4 years next preceding his or her election, as
22 provided in section 22 of article 5-V of the state constitution of
23 1963. ~~A person who has been convicted of a violation of section~~
24 ~~12a(1) of Act No. 370 of the Public Acts of 1941, being section~~
25 ~~38.412a of the Michigan Compiled Laws, shall not be eligible to the~~
26 ~~office of governor or lieutenant governor for a period of 20 years~~
27 ~~after the conviction.~~

1 Sec. 71. ~~(1) A person shall~~ **IS** not be eligible to the offices
2 of secretary of state or attorney general if the person is not a
3 registered and qualified elector of this state by the date the
4 person is nominated for the office.

5 ~~—— (2) A person who has been convicted of a violation of section~~
6 ~~12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible to the~~
7 ~~offices of secretary of state or attorney general for a period of~~
8 ~~20 years after conviction.~~

9 Sec. 91. A person shall not be a United States ~~senator~~ **SENATOR**
10 unless the person has attained the age of 30 years and has been a
11 citizen of the United States for 9 years, and is, when elected, an
12 inhabitant of that state for which he or she shall be chosen as
13 provided in section 3 of article ~~1~~ **I** of the United States
14 ~~constitution. A person who has been convicted of a violation of~~
15 ~~section 12a(1) of Act No. 370 of the Public Acts of 1941, being~~
16 ~~section 38.412a of the Michigan Compiled Laws, shall not be~~
17 ~~eligible to the office of United States senator for a period of 20~~
18 ~~years after conviction.~~ **CONSTITUTION.**

19 Sec. 131. A person shall not be a ~~representative~~
20 **REPRESENTATIVE IN CONGRESS** unless the person has attained the age
21 of 25 years and been a citizen of the United States for 7 years,
22 and is, when elected, an inhabitant of that state in which he or
23 she shall be chosen, as provided in section 2 of article ~~1~~ **I** of the
24 United States ~~constitution. A person who has been convicted of a~~
25 ~~violation of section 12a(1) of Act No. 370 of the Public Acts of~~
26 ~~1941, being section 38.412a of the Michigan Compiled Laws, shall~~
27 ~~not be eligible to the office of representative in congress for a~~

1 ~~period of 20 years after conviction.~~ **CONSTITUTION.**

2 Sec. 161. ~~(1)~~ A person shall ~~be~~ **IS** not ~~be~~ eligible to the office
3 of state senator or representative unless the person is a citizen
4 of the United States and a registered and qualified elector of the
5 district he or she represents by the filing deadline, as provided
6 in section 7 of article 4 ~~IV~~ of the state constitution of 1963.

7 ~~—— (2) A person who has been convicted of a violation of section~~
8 ~~12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible to the~~
9 ~~office of state senator or representative for a period of 20 years~~
10 ~~after conviction.~~

11 Sec. 191. ~~(1)~~ A person shall ~~be~~ **IS** not ~~be~~ eligible to the office
12 of county clerk, county treasurer, register of deeds, prosecuting
13 attorney, sheriff, drain commissioner, surveyor, or coroner if the
14 person is not a registered and qualified elector of the county in
15 which election is sought by the filing deadline.

16 ~~—— (2) A person who has been convicted of a violation of section~~
17 ~~12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible to any of~~
18 ~~the offices enumerated in this section for a period of 20 years~~
19 ~~after conviction.~~

20 Sec. 254. (1) To obtain the printing of the name of a person
21 as a candidate for nomination by a political party for the office
22 of county road commissioner under a particular party heading upon
23 the official primary ballots, there shall ~~shall~~ **MUST** be filed with the
24 county clerk of the county nominating petitions signed by a number
25 of qualified and registered electors residing within the county as
26 determined under section 544f. Nominating petitions shall ~~shall~~ **MUST** be
27 in the form prescribed in section 544c. ~~Until December 31, 2013,~~

1 ~~the county clerk shall receive nominating petitions up to 4 p.m. of~~
2 ~~the twelfth Tuesday before the August primary in which county road~~
3 ~~commissioners are to be elected. Beginning January 1, 2014, the~~ **THE**
4 county clerk shall receive nominating petitions up to 4 p.m. of the
5 fifteenth Tuesday before the August primary in which county road
6 commissioners are to be elected.

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

26 Sec. 281. ~~(1)~~ A person ~~shall~~ **IS** not ~~be~~ eligible to membership
27 on the state board of education, the board of regents of the

1 ~~university~~ **UNIVERSITY** of Michigan, the board of trustees of
 2 Michigan ~~state university,~~ **STATE UNIVERSITY**, or the board of
 3 governors of Wayne ~~state university~~ **STATE UNIVERSITY** if the person
 4 is not a registered and qualified elector of this state on the date
 5 the person is nominated for the office.

6 ~~—— (2) A person who has been convicted of a violation of section~~
 7 ~~12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible to~~
 8 ~~membership on any of the boards enumerated in this section for a~~
 9 ~~period of 20 years after conviction.~~

10 Sec. 302. An individual is eligible for election as a school
 11 board member if the individual is a citizen of the United States
 12 and is a qualified and registered elector of the school district
 13 the individual seeks to represent by the filing deadline. At least
 14 1 school board member for a school district ~~shall~~ **MUST** be elected
 15 at each of the school district's regular elections held as provided
 16 in section 642c. Except as otherwise provided in this section or
 17 section 310 or 644g, a school board member's term of office is
 18 prescribed by the applicable provision of section 11a, 617, 701, or
 19 703 of the revised school code, 1976 PA 451, MCL 380.11a, 380.617,
 20 380.701, and 380.703, or section 34, 34a, 41, 54, or 83 of the
 21 community college act of 1966, 1966 PA 331, MCL 389.34, 389.34a,
 22 389.41, 389.54, and 389.83. ~~Except as provided in section 302a, if~~
 23 **IF** a ballot question changing the number of school board members or
 24 changing the terms of office for school board members ~~pursuant to~~
 25 **UNDER** section 11a of the revised school code, 1976 PA 451, MCL
 26 380.11a, is proposed and a school district needs a temporary
 27 variance from the terms of office provisions in this act and the

1 revised school code, 1976 PA 451, MCL 380.1 to 380.1852, to phase
2 in or out school board members' terms of office, the school board
3 shall submit the proposed ballot question language and a proposed
4 transition plan to the secretary of state at least 30 days before
5 the school board submits the ballot question language to the school
6 district election coordinator ~~pursuant to~~ **UNDER** section 312. The
7 secretary of state shall approve or reject the proposed transition
8 plan within 10 business days of receipt of the proposed transition
9 plan. The secretary of state shall approve the proposed transition
10 plan if the plan provides only temporary relief to the school
11 district from the terms of office provisions in this act and the
12 revised school code, 1976 PA 451, MCL 380.1 to 380.1852, until such
13 time that the terms of office for school board members can be made
14 to comply with this act and the revised school code, 1976 PA 451,
15 MCL 380.1 to 380.1852. The school board shall not submit the
16 proposed ballot question language to the school district election
17 coordinator ~~pursuant to~~ **UNDER** section 312 until the proposed
18 transition plan is approved by the secretary of state. A school
19 board member's term begins on January 1 immediately following the
20 election.

21 Sec. 303. (1) ~~Until December 31, 2013, and subject to~~
22 ~~subsection (4), for an individual's name to appear on the official~~
23 ~~ballot as a candidate for school board member, the candidate shall~~
24 ~~file a nominating petition and the affidavit required by section~~
25 ~~558 with the school district filing official not later than 4 p.m.~~
26 ~~on the twelfth Tuesday before the election date. Beginning January~~
27 ~~1, 2014, and subject~~ **SUBJECT** to subsection (4), for an individual's

1 name to appear on the official ballot as a candidate for school
2 board member, the candidate shall file a nominating petition and
3 the affidavit required by section 558 with the school district
4 filing official not later than 4 p.m. on the fifteenth Tuesday
5 before the election date. The nominating petition must be signed by
6 the following number of electors of the school district:

7 (a) If the population of the school district is less than
8 10,000 according to the most recent federal census, a minimum of 6
9 and a maximum of 20.

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

13 (2) The nominating petition ~~shall~~**MUST** be substantially in the
14 form prescribed in section 544c, except that the petition ~~shall~~
15 **MUST** be nonpartisan and ~~shall~~**MUST** include the following opening
16 paragraph:

17 We, the undersigned, registered and qualified voters
18 of _____
19 and residents of the _____, the
20 (legal name of school district)
21 county of _____, state of Michigan,
22 (city or township)
23 nominate _____

24 (name of candidate)
25 _____,
26 (street address) (city or township)

27 a registered and qualified elector of the district as a member

1 of the board of education of the school district for a term
2 of _____ years, expiring _____, to be voted for at the
3 election to be held on the _____ day of _____, _____.
4 (month) (year)

5 (3) A school elector shall not sign petitions for more
6 candidates than are to be elected.

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

12 (5) A nominating petition filed under this chapter is subject
13 to the examination and investigation process prescribed in section
14 552 as to its sufficiency and the validity and genuineness of the
15 signatures on the nominating petition, and to the other procedures
16 prescribed in that section relevant to a petition filed under this
17 chapter.

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

1 Sec. 342. ~~(1)~~A person ~~shall~~**IS** not ~~be~~eligible to a township
2 office unless the person is a registered and qualified elector of
3 the township in which election is sought by the filing deadline. A
4 person ~~shall~~**IS** not ~~be~~eligible for membership on the board of
5 review unless, in addition to the qualifications for eligibility to
6 a township office, the person is a landowner and taxpayer in the
7 township.

8 ~~—— (2) A person who has been convicted of a violation of section~~
9 ~~12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible for~~
10 ~~election or appointment to an elective or appointive township~~
11 ~~office for a period of 20 years after conviction.~~

12 Sec. 381. (1) Except as provided in this section and sections
13 383, 641, 642, 642a, and 644g, the qualifications, nomination,
14 election, appointment, term of office, and removal from office of a
15 village officer ~~shall~~**MUST** be as determined by the charter
16 provisions governing the village.

17 (2) If the membership of the village council of a village
18 governed by the general law village act, 1895 PA 3, MCL 61.1 to
19 74.25, is reduced to less than a quorum of 4 and a special election
20 for the purpose of filling all vacancies in the office of trustee
21 is called under section 13 of chapter II of the general law village
22 act, 1895 PA 3, MCL 62.13, temporary appointments of trustees ~~shall~~
23 **MUST** be made as provided in this subsection. The board of county
24 election commissioners of the county in which the largest portion
25 of the population of the village is situated shall make temporary
26 appointment of the number of trustees required to constitute a
27 quorum for the transaction of business by the village council. A

1 trustee appointed under this subsection shall hold the office only
2 until the trustee's successor is elected and qualified. A trustee
3 who is temporarily appointed under this subsection shall not vote
4 on the appointment of himself or herself to an elective or
5 appointive village office.

6 (3) Notwithstanding another provision of law or charter to the
7 contrary, an appointment to an elective or appointive village
8 office made by a quorum constituted by temporary appointments under
9 this subsection expires upon the election and qualification of
10 trustees under the special election called to fill the vacancies in
11 the office of trustee.

12 (4) Filing for a village office ~~shall~~**MUST** be with the
13 township clerk if the township is conducting the election or if the
14 village is located in more than 1 township with the township in
15 which the largest number of the registered electors of the village
16 reside. ~~Until December 31, 2013, nominating petitions for village~~
17 ~~offices shall be filed with the appropriate township clerk by 4~~
18 ~~p.m. on the twelfth Tuesday before the general November election.~~
19 ~~Beginning January 1, 2014, nominating~~ **NOMINATING** petitions for
20 village offices ~~shall~~**MUST** be filed with the appropriate township
21 clerk by 4 p.m. on the fifteenth Tuesday before the general
22 November election. After a nominating petition is filed for a
23 candidate for a village office, the candidate is not permitted to
24 withdraw unless a written withdrawal notice, signed by the
25 candidate, is filed with the appropriate township clerk not later
26 than 4 p.m. of the third day after the last day for filing the
27 nominating petition.

1 Sec. 383. The governor shall remove all village officers
2 chosen by the electors of a village ~~when~~**IF** the governor is
3 satisfied from sufficient evidence submitted to the governor that
4 the officer ~~has been~~**IS** guilty of official misconduct, wilful
5 neglect of duty, extortion, or habitual drunkenness, or has been
6 convicted of being drunk, or ~~whenever~~**IF** it appears by a certified
7 copy of the judgment of a court of record of this state that a
8 village officer, after the officer's election or appointment, has
9 been convicted of a felony. The governor shall not take action upon
10 any charges made to the governor against a village officer until
11 the charges have been exhibited to the governor in writing,
12 verified by the affidavit of the party making them, that the party
13 believes the charges to be true. A village officer ~~shall~~**MUST** not
14 be removed for misconduct or neglect until charges of misconduct or
15 neglect have been exhibited to the governor as provided in this
16 section and a copy of the charges served on the officer and an
17 opportunity given the officer of being heard in his or her defense.
18 The service of the charges upon the person or persons complained
19 against ~~shall~~**MUST** be made by personal service to the officer of a
20 copy of the charges, together with all affidavits or exhibits which
21 may be attached to the original petition, if the officer can be
22 found, ~~and~~ if not, by leaving a copy of the charges at the last
23 known place of residence of the officer with a person of suitable
24 age, if a person of suitable age can be found, ~~and~~ if not, by
25 posting the copy of the charges in a conspicuous place at the
26 officer's last known place of residence. An officer who has been
27 removed from office ~~pursuant to~~**UNDER** this section ~~shall~~**IS** not be

1 eligible for election or appointment to any office for a period of
2 3 years from the date of the removal from office. ~~A person who has~~
3 ~~been convicted of a violation of section 12a(1) of Act No. 370 of~~
4 ~~the Public Acts of 1941, being section 38.412a of the Michigan~~
5 ~~Compiled Laws, shall not be eligible for election or appointment to~~
6 ~~an elective or appointive village office for a period of 20 years~~
7 ~~after conviction.~~

8 Sec. 391. ~~(1)~~ A person shall ~~shall~~ **IS** not be eligible to the office
9 of justice of the supreme court unless the person is a registered
10 and qualified elector of this state by the filing deadline or the
11 date the person files the affidavit of candidacy, is licensed to
12 practice law in this state, and at the time of election or
13 appointment is less than 70 years of age.

14 ~~(2) A person who has been convicted of a violation of section~~
15 ~~12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible for~~
16 ~~election or appointment to the office of justice of the supreme~~
17 ~~court for a period of 20 years after conviction.~~

18 Sec. 409. ~~(1)~~ A person shall ~~shall~~ **IS** not be eligible for the office
19 of judge of the court of appeals unless the person is a registered
20 and qualified elector of the appellate court district in which
21 election is sought by the filing deadline or the date the person
22 files the affidavit of candidacy, is licensed to practice law in
23 this state, and, at the time of election or appointment, is less
24 than 70 years of age.

25 ~~(2) A person who has been convicted of a violation of section~~
26 ~~12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible for~~
27 ~~election or appointment to the office of judge of the court of~~

1 ~~appeals for a period of 20 years after conviction.~~

2 Sec. 409b. (1) To obtain the printing of the name of a
3 qualified person other than an incumbent judge of the court of
4 appeals as a candidate for nomination for the office of judge of
5 the court of appeals upon the official nonpartisan primary ballots,
6 there shall ~~shall~~ **MUST** be filed with the secretary of state nominating
7 petitions containing the signatures, addresses, and dates of
8 signing of a number of qualified and registered electors residing
9 in the appellate court district as determined under section 544f.
10 The provisions of sections 544a and 544b apply. ~~Until December 31,~~
11 ~~2013, the secretary of state shall receive nominating petitions up~~
12 ~~to 4 p.m. on the fourteenth Tuesday before the primary. Beginning~~
13 ~~January 1, 2014, the~~ **THE** secretary of state shall receive
14 nominating petitions up to 4 p.m. on the fifteenth Tuesday before
15 the primary.

16 (2) Nominating petitions filed under this section are valid
17 only if they clearly indicate for which of the following offices
18 the candidate is filing, consistent with subsection (8):

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

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

23 (c) A new judgeship.

24 (3) Nominating petitions specifying a new or existing court of
25 appeals judgeship may not be used to qualify a candidate for
26 another judicial office of the same court in the same judicial
27 district. A person who files nominating petitions for election to

1 more than 1 court of appeals judgeship ~~shall have~~ **HAS** not more than
2 3 days following the close of filing to withdraw from all but 1
3 filing.

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

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

22 (6) An incumbent judge of the court of appeals may become a
23 candidate in the primary election for the office of which he or she
24 is the incumbent by filing with the secretary of state an affidavit
25 of candidacy not less than 134 days before the date of the primary
26 election. However, ~~before December 31, 2013, if an incumbent judge~~
27 ~~of the court of appeals was appointed to fill a vacancy and the~~

1 ~~judge entered upon the duties of office less than 137 days before~~
2 ~~the date of the primary election but before the fourteenth Tuesday~~
3 ~~before the primary election, the incumbent judge may file the~~
4 ~~affidavit of candidacy not more than 3 days after entering upon the~~
5 ~~duties of office. Beginning January 1, 2014, if an incumbent judge~~
6 of the court of appeals was appointed to fill a vacancy and the
7 judge entered upon the duties of the office less than 137 days
8 before the date of the primary election but before the fifteenth
9 Tuesday before the primary election, the incumbent judge may file
10 the affidavit of candidacy not more than 3 days after entering upon
11 the duties of office. The affidavit of candidacy ~~shall~~**MUST** contain
12 statements that the affiant is an incumbent judge of the court of
13 appeals, is domiciled within the district, will not attain the age
14 of 70 by the date of election, and is a candidate for election to
15 the office of judge of the court of appeals.

16 (7) In the primary and general November election for 2 or more
17 judgeships of the court of appeals in a judicial district, each of
18 the following categories of candidates ~~shall~~**MUST** be listed
19 separately on the ballot, consistent with subsection (8):

20 (a) The names of candidates for the judgeship or judgeships
21 for which the incumbent is seeking election.

22 (b) The names of candidates for the judgeship or judgeships
23 for which the incumbent is not seeking election.

24 (c) The names of candidates for a newly created judgeship or
25 judgeships.

26 (8) If the death or disqualification of an incumbent judge
27 triggers the application of section 409d(2), then for the purposes

1 of subsections (2) and (7), that judgeship ~~shall~~**MUST** be regarded
2 as a judgeship for which the incumbent judge is not seeking
3 election. The application of this subsection includes, but is not
4 limited to, circumstances in which the governor appoints an
5 individual to fill the vacancy and that individual seeks to qualify
6 as a nominee under section 409d(2).

7 Sec. 411. ~~(1)~~A person ~~shall~~**IS** not ~~be~~ eligible to the office
8 of judge of the circuit court unless the person is a registered and
9 qualified elector of the judicial circuit in which election is
10 sought by the filing deadline or the date the person files the
11 affidavit of candidacy, as provided in section 11 of article VI of
12 the state constitution of 1963, is licensed to practice law in this
13 state, and, at the time of election, is less than 70 years of age.

14 ~~—— (2) A person who has been convicted of a violation of section~~
15 ~~12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible for~~
16 ~~election or appointment to the office of judge of the circuit court~~
17 ~~for a period of 20 years after conviction.~~

18 Sec. 413. (1) To obtain the printing of the name of a person
19 as a candidate for nomination for the office of judge of the
20 circuit court upon the official nonpartisan primary ballots, there
21 ~~shall~~**MUST** be filed with the secretary of state nominating
22 petitions containing the signatures, addresses, and dates of
23 signing of a number of qualified and registered electors residing
24 in the judicial circuit as determined under section 544f or by the
25 filing of an affidavit according to section 413a. ~~Until December~~
26 ~~31, 2013, the secretary of state shall receive the nominating~~
27 ~~petitions up to 4 p.m. of the fourteenth Tuesday before the~~

1 ~~primary. Beginning January 1, 2014, the~~ **THE** secretary of state
2 shall receive the nominating petitions up to 4 p.m. of the
3 fifteenth Tuesday before the primary. The provisions of sections
4 544a and 544b apply.

5 (2) If a candidate for nomination for the office of judge of
6 the circuit court receives incorrect or inaccurate written
7 information from the secretary of state or the bureau of elections
8 concerning the number of nominating petition signatures required
9 under section 544f and that incorrect or inaccurate written
10 information is published or distributed by the secretary of state
11 or the bureau of elections, the candidate may bring an action in a
12 court of competent jurisdiction for equitable relief. A court may
13 grant equitable relief to a candidate under this subsection if all
14 of the following occur:

15 (a) The candidate brings the action for equitable relief
16 within 6 days after the candidate is notified by the secretary of
17 state or the bureau of elections that the candidate's nominating
18 petition contains insufficient signatures.

19 (b) The candidate files an affidavit certifying that he or she
20 contacted and received from the secretary of state or the bureau of
21 elections incorrect or inaccurate written information concerning
22 the number of nominating petition signatures required under section
23 544f.

24 (c) The secretary of state or the bureau of elections
25 published or distributed the incorrect or inaccurate written
26 information concerning the number of nominating petition signatures
27 required under section 544f before the filing deadline under

1 subsection (1).

2 (d) The secretary of state or bureau of elections did not
3 inform the candidate at least 14 days before the filing deadline
4 under subsection (1) that incorrect or inaccurate written
5 information concerning the number of nominating petition signatures
6 required under section 544f had been published or distributed.

7 (3) If a court grants equitable relief to a candidate under
8 subsection (2), the candidate ~~shall~~**MUST** be given the opportunity
9 to obtain additional nominating petition signatures to meet the
10 requirements under section 544f. The additional nominating petition
11 signatures obtained by a candidate ~~shall~~**MUST** be filed with the
12 secretary of state no later than 4 p.m. on the fifth business day
13 after the date that the court order granting equitable relief is
14 filed.

15 (4) The nominating petition signatures filed ~~pursuant to~~**UNDER**
16 this section are subject to challenge as provided in section 552.

17 Sec. 413a. (1) Any incumbent circuit court judge may become a
18 candidate in the primary election for the office of which he or she
19 is an incumbent by filing with the secretary of state an affidavit
20 of candidacy not less than 134 days ~~prior to~~**BEFORE** the date of the
21 primary election. However, ~~until December 31, 2013, if an incumbent~~
22 ~~judge of the circuit court was appointed to fill a vacancy and the~~
23 ~~judge entered upon the duties of office less than 137 days before~~
24 ~~the date of the primary election but before the fourteenth Tuesday~~
25 ~~before the primary election, the incumbent judge may file the~~
26 ~~affidavit of candidacy not more than 3 days after entering upon the~~
27 ~~duties of office. Beginning January 1, 2014, if an incumbent judge~~

1 of the circuit court was appointed to fill a vacancy and the judge
2 entered upon the duties of office less than 137 days before the
3 date of the primary election but before the fifteenth Tuesday
4 before the primary election, the incumbent judge may file the
5 affidavit of candidacy not more than 3 days after entering upon the
6 duties of office.

7 (2) The affidavit of candidacy ~~shall~~**MUST** contain statements
8 that the affiant is an incumbent circuit court judge for the
9 circuit in which election is sought, that he or she is domiciled
10 within the circuit, and that he or she will not attain the age of
11 70 by the date of election, and ~~shall~~**MUST** contain a declaration
12 that he or she is a candidate for election to the office of circuit
13 court judge.

14 Sec. 431. ~~(1)~~A person ~~shall~~**IS** not ~~be~~ eligible to the office
15 of judge of probate unless the person is a registered and qualified
16 elector of the county in which election is sought by the filing
17 deadline or the date the person files the affidavit of candidacy,
18 as provided in section 16 of article VI of the state constitution
19 of 1963, is licensed to practice law in this state except as
20 provided in section 7 of the schedule and temporary provisions of
21 the state constitution of 1963, and, at the time of election, is
22 less than 70 years of age.

23 ~~—— (2) A person who has been convicted of a violation of section~~
24 ~~12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible for~~
25 ~~election or appointment to the office of judge of probate for a~~
26 ~~period of 20 years after conviction.~~

27 Sec. 433. (1) Except as otherwise provided in this subsection,

1 to obtain the printing of the name of a person as a candidate for
2 nomination for the office of judge of probate upon the official
3 nonpartisan primary ballots, there ~~shall~~**MUST** be filed with the
4 county clerk of each county nominating petitions containing the
5 signatures, addresses, and dates of signing of a number of
6 qualified and registered electors residing in the county as
7 determined under section 544f or by the filing of an affidavit
8 according to section 433a. In the case of a probate court district,
9 to obtain the printing of the name of a person as a candidate for
10 nomination for the office of judge of probate upon the official
11 nonpartisan primary ballots, there ~~shall~~**MUST** be filed with the
12 secretary of state nominating petitions containing the signatures,
13 addresses, and dates of signing of a number of qualified and
14 registered electors residing in the probate court district as
15 determined under section 544f or by the filing of an affidavit
16 according to section 433a. ~~Until December 31, 2013, the county~~
17 ~~clerk or, in the case of a probate court district, the secretary of~~
18 ~~state shall receive nominating petitions up to 4 p.m. on the~~
19 ~~fourteenth Tuesday before the August primary. Beginning January 1,~~
20 ~~2014, the~~**THE** county clerk or, in the case of a probate court
21 district, the secretary of state shall receive nominating petitions
22 up to 4 p.m. on the fifteenth Tuesday before the August primary.
23 The provisions of sections 544a and 544b apply.

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

27 (a) An unspecified existing judgeship for which the incumbent

1 judge is seeking election.

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

4 (c) A new judgeship.

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

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

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

26 (6) If a candidate for nomination for the office of judge of
27 probate receives incorrect or inaccurate written information from

1 the county clerk or, in the case of a probate court district, the
2 secretary of state concerning the number of nominating petition
3 signatures required under section 544f and that incorrect or
4 inaccurate written information is published or distributed by the
5 county clerk or, in the case of a probate court district, the
6 secretary of state, the candidate may bring an action in a court of
7 competent jurisdiction for equitable relief. A court may grant
8 equitable relief to a candidate under this subsection if all of the
9 following occur:

10 (a) The candidate brings the action for equitable relief
11 within 6 days after the candidate is notified by the county clerk
12 or, in the case of a probate court district, the secretary of state
13 that the candidate's nominating petition contains insufficient
14 signatures.

15 (b) The candidate files an affidavit certifying that he or she
16 contacted and received from the county clerk or, in the case of a
17 probate court district, the secretary of state incorrect or
18 inaccurate written information concerning the number of nominating
19 petition signatures required under section 544f.

20 (c) The county clerk or, in the case of a probate court
21 district, the secretary of state published or distributed the
22 incorrect or inaccurate written information concerning the number
23 of nominating petition signatures required under section 544f
24 before the filing deadline under subsection (1).

25 (d) The county clerk or, in the case of a probate court
26 district, the secretary of state did not inform the candidate at
27 least 14 days before the filing deadline under subsection (1) that

1 incorrect or inaccurate written information concerning the number
2 of nominating petition signatures required under section 544f had
3 been published or distributed.

4 (7) If a court grants equitable relief to a candidate under
5 subsection (6), the candidate ~~shall~~**MUST** be given the opportunity
6 to obtain additional nominating petition signatures to meet the
7 requirements under section 544f. The additional nominating petition
8 signatures obtained by a candidate ~~shall~~**MUST** be filed with the
9 county clerk or, in the case of a probate court district, the
10 secretary of state no later than 4 p.m. on the fifth business day
11 after the date that the court order granting equitable relief is
12 filed.

13 (8) The nominating petition signatures filed ~~pursuant to~~**UNDER**
14 this section are subject to challenge as provided in section 552.

15 Sec. 433a. (1) Any incumbent probate court judge may become a
16 candidate in the primary election for the office of which he or she
17 is an incumbent by filing with the county clerk, or in case of a
18 probate district with the secretary of state, an affidavit of
19 candidacy not less than 134 days before the date of the primary
20 election. However, ~~until December 31, 2013, if an incumbent judge~~
21 ~~of probate was appointed to fill a vacancy and the judge entered~~
22 ~~upon the duties of office less than 137 days before the date of the~~
23 ~~primary election but before the fourteenth Tuesday before the~~
24 ~~primary election, the incumbent judge may file the affidavit of~~
25 ~~candidacy not more than 3 days after entering upon the duties of~~
26 ~~office. Beginning January 1, 2014, if an incumbent judge of probate~~
27 was appointed to fill a vacancy and the judge entered upon the

1 duties of office less than 137 days before the date of the primary
2 election but before the fifteenth Tuesday before the primary
3 election, the incumbent judge may file the affidavit of candidacy
4 not more than 3 days after entering upon the duties of office.

5 (2) The affidavit of candidacy ~~shall~~**MUST** contain statements
6 that the affiant is an incumbent probate court judge of the county
7 or district of which election is sought, that he or she is
8 domiciled within the county or district, and that he or she will
9 not attain the age of 70 years by the date of election, and ~~shall~~
10 **MUST** contain a declaration that he or she is a candidate for
11 election to the office of probate court judge.

12 Sec. 467. ~~(1)~~A person ~~shall~~**IS** not ~~be~~ eligible for the office
13 of judge of the district court unless the person is a registered
14 and qualified elector of the judicial district and election
15 division in which election is sought by the filing deadline or the
16 date the person files the affidavit of candidacy, is licensed to
17 practice law in this state, and, at the time of election or
18 appointment, is less than 70 years of age.

19 ~~———— (2) A person who has been convicted of a violation of section~~
20 ~~12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible for~~
21 ~~election or appointment to the office of judge of the district~~
22 ~~court for a period of 20 years after conviction.~~

23 Sec. 467a. ~~Except as provided in section 467n, a~~**A** general
24 nonpartisan primary election ~~shall~~**MUST** be held in every district
25 and election division of this state on the Tuesday ~~succeeding~~**AFTER**
26 the first Monday in August ~~prior to~~**BEFORE** the general election at
27 which judges of the district court are elected, at which time the

1 qualified and registered electors may vote for nonpartisan
2 candidates for judge of the district court. If upon the expiration
3 of the time for filing petitions of candidacy for the primary
4 election of the judge of the district court in any district or
5 election division, it appears that there are not to exceed twice
6 the number of candidates as there are persons to be elected, the
7 secretary of state shall certify to the county board of election
8 commissioners the name of those candidates for district court judge
9 whose petitions or affidavits of candidacy have been properly filed
10 and those candidates ~~shall be~~ **ARE** the nominees for the judge of the
11 district court and ~~shall~~ **MUST** be so certified. As to that office,
12 there ~~shall~~ **MUST** not be a primary election and this office ~~shall~~
13 **MUST** be omitted from the judicial primary ballot.

14 Sec. 467b. (1) To obtain the printing of the name of a person
15 as a candidate for nomination for the office of judge of the
16 district court upon the official nonpartisan primary ballots, there
17 ~~shall~~ **MUST** be filed with the secretary of state nominating
18 petitions containing the signatures, addresses, and dates of
19 signing of a number of qualified and registered electors residing
20 in the judicial district or division as determined under section
21 544f. An incumbent district court judge may also become a candidate
22 by the filing of an affidavit in lieu of petitions according to
23 section 467c. ~~Until December 31, 2013, the secretary of state shall~~
24 ~~receive nominating petitions up to 4 p.m. on the fourteenth Tuesday~~
25 ~~before the primary. Beginning January 1, 2014, the~~ **THE** secretary of
26 state shall receive nominating petitions up to 4 p.m. on the
27 fifteenth Tuesday before the primary. The provisions of sections

1 544a and 544b apply.

2 (2) Nominating petitions filed under this section are valid
3 only if they clearly indicate for which of the following offices
4 the candidate is filing, consistent with section 467c(4):

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

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

9 (c) A new judgeship.

10 (3) A person who files nominating petitions for election to
11 more than 1 district judgeship ~~shall have~~ **HAS** not more than 3 days
12 following the close of filing to withdraw from all but 1 filing.

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

21 (5) The secretary of state shall issue an office designation
22 of incumbent position for any judgeship for which the incumbent
23 judge is eligible to seek reelection. If an incumbent judge does
24 not file an affidavit of candidacy by the deadline, the secretary
25 of state shall notify all candidates for that office that a
26 nonincumbent position exists. All nominating petitions circulated
27 for the nonincumbent position after the deadline ~~shall~~ **MUST** bear an

1 office designation of nonincumbent position. All signatures
2 collected before the affidavit of candidacy filing deadline may be
3 filed with the nonincumbent nominating petitions.

4 (6) If a candidate for nomination for the office of judge of
5 the district court receives incorrect or inaccurate written
6 information from the secretary of state or the bureau of elections
7 concerning the number of nominating petition signatures required
8 under section 544f and that incorrect or inaccurate written
9 information is published or distributed by the secretary of state
10 or the bureau of elections, the candidate may bring an action in a
11 court of competent jurisdiction for equitable relief. A court may
12 grant equitable relief to a candidate under this subsection if all
13 of the following occur:

14 (a) The candidate brings the action for equitable relief
15 within 6 days after the candidate is notified by the secretary of
16 state or the bureau of elections that the candidate's nominating
17 petition contains insufficient signatures.

18 (b) The candidate files an affidavit certifying that he or she
19 contacted and received from the secretary of state or the bureau of
20 elections incorrect or inaccurate written information concerning
21 the number of nominating petition signatures required under section
22 544f.

23 (c) The secretary of state or the bureau of elections
24 published or distributed the incorrect or inaccurate written
25 information concerning the number of nominating petition signatures
26 required under section 544f before the filing deadline under
27 subsection (1).

1 (d) The secretary of state or bureau of elections did not
2 inform the candidate at least 14 days before the filing deadline
3 under subsection (1) that incorrect or inaccurate written
4 information concerning the number of nominating petition signatures
5 required under section 544f had been published or distributed.

6 (7) If a court grants equitable relief to a candidate under
7 subsection (6), the candidate ~~shall~~**MUST** be given the opportunity
8 to obtain additional nominating petition signatures to meet the
9 requirements under section 544f. The additional nominating petition
10 signatures obtained by a candidate ~~shall~~**MUST** be filed with the
11 secretary of state no later than 4 p.m. on the fifth business day
12 after the date that the court order granting equitable relief is
13 filed.

14 (8) The nominating petition signatures filed ~~pursuant to~~**UNDER**
15 this section are subject to challenge as provided in section 552.

16 Sec. 467c. (1) An incumbent district court judge may become a
17 candidate in the primary election for the office of which he or she
18 is an incumbent by filing with the secretary of state an affidavit
19 of candidacy in lieu of nominating petitions not less than 134 days
20 ~~prior to~~**BEFORE** the date of the primary election. However, ~~until~~
21 ~~December 31, 2013, if an incumbent district court judge was~~
22 ~~appointed to fill a vacancy and the judge entered upon the duties~~
23 ~~of office less than 137 days before the date of the primary~~
24 ~~election but before the fourteenth Tuesday before the primary~~
25 ~~election, the incumbent judge may file the affidavit of candidacy~~
26 ~~not more than 3 days after entering upon the duties of office.~~
27 ~~Beginning January 1, 2014, if an incumbent district court judge was~~

1 appointed to fill a vacancy and the judge entered upon the duties
2 of the office less than 137 days before the date of the primary
3 election but before the fifteenth Tuesday before the primary
4 election, the incumbent judge may file the affidavit of candidacy
5 not more than 3 days after entering upon the duties of office. The
6 affidavit of candidacy ~~shall~~**MUST** contain statements that the
7 affiant is an incumbent district court judge for the district or
8 election division in which election is sought, that he or she is
9 domiciled within the district or election division, and that he or
10 she will not attain the age of 70 by the date of election, and a
11 declaration that the affiant is a candidate for election to the
12 office of district court judge.

13 (2) There ~~shall~~**MUST** be printed upon the ballot under the name
14 of each incumbent district judge who is a candidate for nomination
15 or election to the same office the designation of that office.

16 (3) In the primary and general election for 2 or more
17 judgeships of the district court, each of the following categories
18 of candidates ~~shall~~**MUST** be listed separately on the ballot,
19 consistent with subsection (4):

20 (a) The names of candidates for the judgeship or judgeships
21 for which the incumbent is seeking election.

22 (b) The names of candidates for an existing judgeship or
23 judgeships for which the incumbent is not seeking election.

24 (c) The names of candidates for a newly created judgeship or
25 judgeships.

26 (4) If the death or disqualification of an incumbent judge
27 triggers the application of section 467e(2), then for the purposes

1 of subsection (3) and section 467b(2), that judgeship ~~shall~~**MUST** be
2 regarded as a judgeship for which the incumbent judge is not
3 seeking election. The application of this subsection includes, but
4 is not limited to, circumstances in which the governor appoints an
5 individual to fill the vacancy and that individual seeks to qualify
6 as a nominee under section 467e(2).

7 Sec. 616a. (1) The board of state canvassers shall canvass the
8 returns received from the boards of county canvassers and certify
9 the statewide and congressional district results of the
10 presidential primary election to the secretary of state.

11 (2) The secretary of state ~~shall~~**MUST** certify the statewide
12 and congressional district results of the presidential primary
13 election to the chairperson of the state central committee of each
14 participating political party.

15 (3) Notwithstanding ~~sections~~**SECTION** 831 and ~~847~~ or an
16 administrative rule promulgated ~~pursuant to~~**UNDER** section 794c,
17 after the canvass by the board of state canvassers under subsection
18 (1), the secretary of state may authorize the immediate release of
19 all ballots, ballot boxes, voting machines, and equipment used in
20 each precinct of a city that conducts a city election in the first
21 week of April if both of the following requirements are met:

22 (a) The county clerk certifies that no defect in or mechanical
23 malfunction of a voting machine, voting device, ballot, or other
24 election equipment or material was discovered or alleged before the
25 date of the completion of the state canvass.

26 (b) The county clerk certifies that no other election for
27 offices or questions appeared on the same election equipment used

1 in the precinct for the presidential primary election.

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

5 (2) A candidate for delegate to the county or district
6 conventions of a political party shall be a qualified and
7 registered elector residing within, as well as having his or her
8 actual bona fide residence within, the election precinct for which
9 he or she desires to become a candidate on the filing deadline.

10 ~~Until December 31, 2013, a candidate shall file an affidavit of~~
11 ~~identity as prescribed in section 558(1) with the county clerk of~~
12 ~~the county or the clerk of the city or township in which the~~
13 ~~candidate resides. Beginning January 1, 2014, a~~ **A** ~~candidate shall~~
14 **MUST** file an affidavit of identity as prescribed in section 558(1)
15 with the county clerk of the county in which the candidate resides.
16 ~~Until December 31, 2013, a clerk shall receive affidavits of~~
17 ~~identity under this section up to 4 p.m. on the twelfth Tuesday~~
18 ~~before the time designated for holding a primary election in the~~
19 ~~county. Beginning January 1, 2014, a~~ **A** ~~county clerk shall receive~~
20 affidavits of identity under this section up to 4 p.m. on the
21 thirteenth Tuesday before the time designated for holding a primary
22 election in the county. ~~Until December 31, 2013, within 4 days~~
23 ~~after the last day for filing affidavits of identity under this~~
24 ~~section, the city or township clerk shall forward to the county~~
25 ~~clerk the affidavit of identity of each candidate who has qualified~~
26 ~~for a position on the primary ballot. All duly elected and~~
27 certified delegates shall be seated at the county or district

1 county conventions. A person violating this section is guilty of a
2 misdemeanor.

3 (3) If a written complaint is made to the county clerk with
4 respect to the registration or bona fide residence, or both, of a
5 candidate, the county clerk shall check with the township or city
6 clerk of the township or city in which the candidate is registered
7 or residing, or both. The township or city clerk shall report back
8 to the county clerk within 48 hours as to the registration or bona
9 fide residence, or both, of the candidate. If the township or city
10 clerk's report shows that the candidate is not a registered elector
11 or a bona fide resident of the election precinct of the township or
12 city for which the petition shows the candidate is a resident, the
13 county clerk shall remove the name of the candidate from the
14 ballot. A complaint received by the county clerk after the ballots
15 have been released for printing and before the primary election
16 ~~shall~~**MUST** not be acted upon.

17 Sec. 624a. (1) A precinct delegate may resign his or her
18 office upon written notice to the chairperson of the county
19 committee and the county clerk of the county or district in which
20 the delegate resides.

21 (2) A person who has filed petitions for precinct delegate may
22 withdraw his or her name from the ballot by filing a statement of
23 withdrawal with the county clerk within 72 hours after 4 p.m. of
24 the last day to file for the office of precinct delegate.

25 (3) A person elected to fill a delegate vacancy or elected as
26 a precinct delegate is not qualified to participate in a convention
27 if, at the time of the convention, that person does not reside in

1 the precinct from which he or she was elected. A delegate is not
 2 disqualified if the delegate no longer resides in the precinct as a
 3 result of a division or rearrangement of the precinct under section
 4 ~~656, 660~~ or 661.

5 (4) If a written complaint is made to the county clerk
 6 regarding a delegate's qualification to hold the office, the county
 7 clerk shall check with the township or city clerk of the township
 8 or city in which the delegate indicated on the nominating petition
 9 as his or her place of residence. The township or city clerk shall
 10 report back to the county clerk within 48 hours as to the complaint
 11 made under this subsection. If the township or city clerk's report
 12 shows that the delegate is not qualified to hold the office, the
 13 county clerk shall certify to the chairperson of the county
 14 committee of the political party the name of the delegate of that
 15 political party who is no longer qualified to hold the office of
 16 delegate under this subsection.

17 Sec. 631. ~~Whenever~~ **IF** a special election ~~shall be~~ **IS** called to
 18 fill a vacancy in any office, the candidates for which are
 19 regularly nominated in accordance with the provisions of this act
 20 relating to primary nominations, a special primary for all
 21 political parties ~~shall~~ **MUST** be held in the county, district, or
 22 city in which the vacancy occurs on ~~such~~ **A** day as may be fixed by
 23 the official or legislative body calling the special election, but
 24 not less than ~~20~~ **45** days ~~prior to~~ **BEFORE** the date of ~~such~~ **THE**
 25 special election. ~~and the authorities~~ **THE OFFICIAL OR LEGISLATIVE**
 26 **BODY** calling ~~any such~~ **A** special primary shall, in the call
 27 ~~therefor,~~ **FOR THE SPECIAL PRIMARY,** fix the time within which

1 candidates may file nominating petitions.

2 Sec. 635. A special election for the submission of a
3 proposition ~~may~~**MUST** be held on a regular election date.

4 Sec. 642c. ~~Beginning January 1, 2012, a~~**A** school district
5 shall hold its regular election for the office of school board
6 member at the general November election.

7 Sec. 644e. Except as provided in section 642, an officer
8 required to be elected at the odd year general election ~~shall~~**MUST**
9 be nominated at the odd year primary election. ~~Until December 31,~~
10 ~~2013, if a charter provides for nomination by caucus or by filing a~~
11 ~~petition or affidavit directly for the general election, the~~
12 ~~candidate filing deadline or certification deadline shall be 4 p.m.~~
13 ~~on the twelfth Tuesday before the odd year general election.~~
14 ~~Beginning January 1, 2014, if~~**IF** a charter provides for nomination
15 by caucus or by filing a petition or affidavit directly for the
16 general election, the candidate filing deadline or certification
17 deadline ~~shall be~~**IS** 4 p.m. on the fifteenth Tuesday before the odd
18 year general election. ~~Until December 31, 2013, if a charter~~
19 ~~provides for the election at the primary of a candidate who~~
20 ~~receives more than 50% of the votes cast for that office, the~~
21 ~~candidate filing deadline or certification deadline shall be 4 p.m.~~
22 ~~on the twelfth Tuesday before the primary. Beginning January 1,~~
23 ~~2014, if~~**IF** a charter provides for the election at the primary of a
24 candidate who receives more than 50% of the votes cast for that
25 office, the candidate filing deadline or certification deadline
26 ~~shall be~~**IS** 4 p.m. on the fifteenth Tuesday before the primary.

27 Sec. 654a. (1) ~~Except as otherwise provided in this section,~~

1 ~~an~~**AN** election precinct under this act ~~shall~~**MUST** be composed as
 2 nearly as practicable of compact and contiguous territory and ~~shall~~
 3 **MUST** have clearly defined and clearly observable boundaries. ~~An~~
 4 ~~election precinct in existence on the effective date of the~~
 5 ~~amendatory act that added this section that does not comply with~~
 6 ~~this section shall be divided, consolidated, or reestablished to~~
 7 ~~comply with this section not later than 210 days before the primary~~
 8 ~~next preceding the 1996 general November election.~~

9 (2) As used in this section, "clearly observable boundaries"
 10 includes 1 or more of the following:

11 (a) A named road or street.

12 (b) A road or highway that is part of the federal, state
 13 primary, or state secondary road system.

14 (c) A river, stream, or drainage feature that is 40 feet or
 15 more in width.

16 (d) A natural or constructed permanent physical feature that
 17 is shown on an official county, city, or township map issued by the
 18 department of transportation or a United States ~~geological survey~~
 19 **GEOLOGICAL SURVEY** topographical map.

20 (e) An apartment building, a dormitory, or other permanent
 21 multiple-unit housing structure.

22 (f) Any line or demarcation that meets the requirements of and
 23 is recognized by the United States ~~bureau of the census~~**CENSUS**
 24 **BUREAU**.

25 Sec. 657. ~~When any~~**IF A** city, ward, township, or village has
 26 ~~been~~**IS** divided into 2 or more election precincts, the election
 27 commission, or other officials charged with the performance of ~~such~~

1 ~~THAT~~ duty by the charter of any city or village, as the case may
 2 be, may by resolution divide any precinct ~~thereof~~ **OF THE CITY,**
 3 **WARD, TOWNSHIP, OR VILLAGE** into 2 or more precincts, attach a
 4 portion of any precinct to an adjoining precinct, or may ~~again~~
 5 rearrange the city, ward, township, or village into election
 6 precincts as ~~said~~ **THE** election commission or other officials
 7 charged with the performance of ~~such~~ **THAT** duty by the charter of
 8 any city or village, may ~~deem~~ **CONSIDER** necessary and convenient for
 9 conducting primaries or elections in ~~said~~ **THE** city, ward, township,
 10 or village, in the same manner and under the same restrictions as
 11 provided in ~~sections 656 and~~ **SECTION** 661. ~~of this act.~~

12 Sec. 667. At any federal, state, district or county primary or
 13 election, the various boards of county election commissioners shall
 14 furnish, at the expense of their respective counties, **ALL OF** the
 15 following:

16 (a) ~~The several boards of election commissioners shall furnish~~
 17 ~~suitable~~ **SUITABLE** forms for use by the precinct **ELECTION** inspectors
 18 ~~of election~~ in making returns of any ~~such~~ primary or election to
 19 the boards of county canvassers. The names of all qualified
 20 candidates ~~shall~~ **MUST** be printed ~~thereon~~ **ON THE FORMS** in their
 21 proper office divisions and after each name there ~~shall~~ **MUST** be
 22 provided spaces in which to write the number of votes received by
 23 that particular candidate in any given precinct in words and
 24 figures. ~~Said~~ **THE** prescribed forms ~~shall~~ **MUST** also have printed
 25 ~~thereon~~ **ON THE FORMS** the title or caption or other designation
 26 identifying any amendment or question to be voted on, together with
 27 spaces similar to those provided after the names of candidates for

1 recording the affirmative and negative votes cast for each ~~such~~
2 amendment or question. ~~Said~~**THE** statement of returns form ~~shall~~
3 **MUST** also contain a certificate to be subscribed by each member of
4 the precinct election board in the following form:

5 STATE OF MICHIGAN)
6)ss
7 County of)
8 Ward (or township)..... Precinct.....
9 CERTIFICATE OF BOARD OF PRECINCT ELECTION INSPECTORS FOR
10 RETURNS AND FOR SEALING BALLOTS AND BOXES

11 WE DO HEREBY CERTIFY That the foregoing is a correct statement
12 of returns of the votes cast in the precinct indicated above, at
13 the (primary or election) held on, the day of
14, ~~19....., 20.....~~, for the several candidates and for
15 the (amendments or propositions) herein shown.

16 WE DO HEREBY FURTHER CERTIFY That all ballots cast at the
17 (primary or election) held in the above designated precinct of the
18 (city, ward, township or village) of, State of Michigan,
19 on the day of, in the year ~~19....., 20.....~~,
20 have been securely tied in packages or rolls and sealed in ~~such~~**A**
21 manner as to render it impossible to open ~~such~~**THE** packages or
22 rolls or remove any of the contents thereof without breaking the
23 ~~said~~ seals; that there was endorsed on each of ~~said~~**THE** packages or
24 rolls a statement showing the number and kind of ballots included
25 in each ~~such~~ package or roll; that all of ~~said~~**THE** packages or
26 rolls, so endorsed, together with one tally sheet, were placed in
27 the proper ballot box or boxes; that the slots in the ballot boxes

1 were closed, that the ballot boxes were securely sealed with the
2 official metal seals furnished for that purpose; that ~~such~~**THE**
3 seals were affixed in ~~such~~**A** manner as to render it impossible to
4 open ~~such~~**THE** ballot boxes without breaking ~~such~~**THE** seals.

5 IN WITNESS WHEREOF, We have hereunto set our hands this
6 day of, A.D., ~~19.....~~**20.....** .

7
8
9

10 Members of the Board of Election Inspectors

11 ~~(b) The several county boards of election commissioners shall,~~
12 ~~at the expense of their respective counties, furnish suitable~~
13 **SUITABLE** tally sheets or combined tally and return sheets to be
14 used by the **ELECTION** inspectors ~~of election~~ in counting the votes
15 for all candidates and for amendments or propositions submitted on
16 ballots prepared by ~~said~~**THE** commissioners and shall deliver the
17 ~~same~~**SHEETS** to the **ELECTION** inspectors ~~of election,~~ as provided in
18 this act in the case of ballots. †

19 ~~(c) The various boards of county election commissioners shall~~
20 ~~furnish self-addressed~~**SELF-ADDRESSED** substantial paper envelopes
21 with gummed flaps to be used by the various boards of precinct
22 election inspectors for sealing the statements of returns, the
23 tally books or combined tally and return sheets, poll lists, and a
24 certificate of election inspectors. †

25 ~~(d) The several boards of county election commissioners shall~~
26 ~~furnish a~~**A** sufficient number of substantial paper wrappers for use
27 in wrapping the packages or rolls of each kind of ballots cast at

1 any state or county primary or election. ~~Such~~**THE** wrappers shall
2 **MUST** have printed ~~thereon~~**ON THE WRAPPERS** a form for recording the
3 date of the election, the city, ward, or township and precinct, the
4 number and kind of ballots contained in ~~such~~**THE** package or roll,
5 and a statement to be signed by the ~~chairman~~**CHAIRPERSON** certifying
6 that ~~such~~**THE** ballots have been wrapped, tied, and sealed in the
7 required manner. The board of election commissioners of any city or
8 township may supply a bag type container to be used ~~in lieu~~**INSTEAD**
9 of the paper wrappers. The minimum specifications of ~~such~~ bag type
10 containers shall **MUST** be established by the secretary of state. If
11 ~~such~~ bag type containers are to be used in any city or township,
12 the clerk ~~thereof~~**OF THE CITY OR TOWNSHIP** shall notify the county
13 clerk and thereafter paper wrappers shall **MUST** not be furnished to
14 ~~such~~**THE** city or township. Each specific type of bag type container
15 shall **MUST** be approved by the secretary of state before being used.
16 ~~Such~~**THE** bag shall **MUST** have securely attached ~~thereto~~**TO THE BAG** a
17 tag on which can be written the same information as is required to
18 be placed on the paper wrappers and ~~such~~**THE** bag shall **MUST** contain
19 a device ~~whereby~~**SO** it can be sealed with a metal seal. Hereafter
20 ~~any references in law to~~**AS USED IN THIS ACT**, the wrapping and
21 sealing of paper ballots by precinct inspectors shall ~~be deemed to~~
22 ~~include~~**INCLUDES** placing of ballots in bag type containers and
23 sealing of ~~such~~**THE** bags in precincts using bag type containers ~~in~~
24 ~~lieu~~**INSTEAD** of paper wrappers. ~~and~~

25 (e) ~~The board of election commissioners of each county shall~~
26 ~~provide, at the expense of the county, for each state, district or~~
27 ~~county election in said county, as~~ **AS** many black or blue lead

1 pencils as ~~may be~~ **ARE** necessary to supply each election precinct
2 with at least 3 ~~of such~~ pencils for each booth erected in ~~such~~ **THE**
3 precinct. The pencils provided for each precinct ~~shall~~ **MUST** be
4 enclosed with the official ballots when delivered to the city or
5 township clerk as **PROVIDED** by law. ~~provided.~~ **ELECTION**
6 inspectors ~~of election~~ shall attach ~~such~~ **THE** pencils with strings,
7 or in other suitable manner, to the shelf of the booth. The board
8 of election commissioners of each county shall issue a warrant in
9 payment for ~~said~~ **THE** pencils, and ~~said~~ **THE** warrant ~~shall~~ **MUST** be
10 paid by the county treasurer out of the general fund of the county.

11 Sec. 668a. (1) The secretary of state shall furnish to each
12 county clerk at state expense for each precinct 2 voter information
13 displays that contain in not less than 18-point type the following
14 information:

15 (a) The hours that the polls will be open.

16 (b) Voting instructions.

17 (c) Information on an individual's right to obtain a
18 provisional ballot and instructions on how to vote a provisional
19 ballot.

20 (d) Information on the identification requirements that apply
21 to voters who register by mail.

22 (e) Instructions on how to contact the appropriate election
23 official about alleged voting rights violations.

24 (f) Information on the federal and state laws that prohibit
25 fraud and misrepresentation.

26 (g) Information on how to challenge another voter as
27 unqualified to vote.

1 (h) Other information that the secretary of state considers
2 necessary.

3 (2) Upon receipt of the voter information displays under
4 subsection (1), each county clerk shall provide to each city ~~,OR~~
5 township ~~,or village~~ clerk, as designated by the secretary of
6 state, 2 voter information displays for each precinct in the
7 county.

8 (3) The city ~~,OR~~ township ~~,or village~~ clerk shall provide to
9 each precinct 2 voter information displays and an instruction
10 ballot for display at each precinct.

11 (4) Before the polls open on election day, the board of
12 election inspectors in each precinct shall post in conspicuous
13 places in the polling place the voter information displays and
14 instruction ballot required under this section.

15 (5) If requested by an elector, the city ~~,OR~~ township ~~,or~~
16 ~~village~~ clerk shall have available a means to provide the
17 information contained in the voter information displays in an
18 alternative format, as prescribed by the secretary of state.

19 Sec. 669. For a federal, state, district, or county primary or
20 election, a city ~~,OR~~ township ~~,or village~~ board of election
21 commissioners shall provide, at the expense of the respective city
22 ~~,OR~~ township, ~~or village~~, each of the following:

23 (a) For each election precinct, a ballot box with lock and key
24 approved under section 24j. Each ballot box ~~shall~~ **MUST** have an
25 opening through the inside lid of the proper size to admit a single
26 ballot into the box. Each ballot box ~~shall~~ **MUST** be provided with a
27 second cover or a metal or wooden device for closing the opening to

1 prevent access without unlocking the ballot box and breaking the
2 seal. The city ~~, OR~~ township ~~, or village~~ clerk shall provide and
3 keep adequate ballot boxes for each precinct.

4 (b) For each election precinct, if another ballot container in
5 addition to a ballot box is utilized in the precinct, a ballot
6 container approved under section 24j.

7 (c) For each polling place, a United States flag and any
8 additional items needed to display the flag. The flag ~~shall~~ **MUST**
9 measure not less than 3 feet wide and 5 feet long. The election
10 inspectors shall ensure that the flag is displayed at or in each
11 polling place during an election.

12 Sec. 670. For all local primaries and elections, the election
13 commissioners of the various cities ~~, AND~~ townships ~~and villages~~
14 shall furnish, at the expense of their respective cities ~~, villages~~
15 and townships all ballots, forms, stationery, and supplies required
16 for the proper conduct of ~~such~~ primaries and elections. These
17 supplies ~~shall~~ **MUST** conform generally with the supplies furnished
18 for general primaries and elections.

19 Sec. 673a. Not later than May 15 of each year, the county
20 chair of a major political party may submit to the city ~~, OR~~
21 township ~~, or village~~ clerks in that county a list of individuals
22 who are interested in serving as an election inspector in that
23 county. The county chair may designate in the list the city ~~, OR~~
24 township ~~, or village~~ in which each individual on the list wishes
25 to serve.

26 Sec. 674. (1) Notwithstanding any other provision of law to
27 the contrary and subject to this section, the city and township

1 board of election commissioners, ~~and the village board of election~~
2 ~~commissioners for village elections only~~, at least 21 days but not
3 more than 40 days before each election, but in no case less than 5
4 days before the date set for holding schools of instruction, shall
5 appoint for each election precinct at least 3 election inspectors
6 and as many more as in its opinion is required for the efficient,
7 speedy, and proper conduct of the election. The board of election
8 commissioners may appoint as election inspector an individual on
9 the list submitted by a major political party under section 673a
10 who is qualified to serve under section 677. An appointment of an
11 election inspector under this section is void if a properly
12 completed application for that election inspector is not on file in
13 the clerk's office as prescribed in section 677.

14 (2) The board of election commissioners shall designate 1
15 appointed election inspector as chairperson. The board of election
16 commissioners shall appoint at least 1 election inspector from each
17 major political party and shall appoint an equal number, as nearly
18 as possible, of election inspectors in each election precinct from
19 each major political party. The board of election commissioners may
20 appoint election inspectors in an election precinct from minor
21 political parties. Not later than 2 business days following the
22 appointment of election inspectors under subsection (1) for
23 elections in which a federal or state office appears, the board of
24 election commissioners shall notify by certified mail, personal
25 service, or electronic transmission capable of determining date of
26 receipt the county chair of each major political party of the names
27 and political party affiliations of appointed election inspectors

1 and the precincts to which those inspectors were appointed. A board
2 of election commissioners shall not appoint a person as an election
3 inspector if that person declares a political party preference for
4 1 political party but is a known active advocate of another
5 political party. As used in this section, "a known active advocate"
6 means a person who meets 1 or more of the following:

7 (a) Is a delegate to the convention or an officer of that
8 other party.

9 (b) Is affiliated with that party through an elected or
10 appointed government position.

11 (c) Has made documented public statements specifically
12 supporting by name the other political party or its candidates in
13 the same calendar year as the election for which the appointment is
14 being made. As used in this subdivision, "documented public
15 statements" means statements reported by the news media or written
16 statements with a clear and unambiguous attribution to the
17 applicant.

18 (3) The county chair of a major political party may challenge
19 the appointment of an election inspector based upon the
20 qualifications of the election inspector, the legitimacy of the
21 election inspector's political party affiliation, or whether there
22 is a properly completed declaration of political party affiliation
23 in the application for that election inspector on file in the
24 clerk's office. The challenge ~~shall~~**MUST** be in writing,
25 specifically identify the reason for the challenge, and include any
26 available documentation supporting the challenge. The county chair
27 of the political party shall file a challenge under this subsection

1 with the board of election commissioners not later than 4 business
2 days following receipt of the board of election commissioners'
3 notice of appointed election inspectors under subsection (2).

4 (4) Upon receipt of a challenge under subsection (3), the
5 board of election commissioners shall determine whether the
6 appointee has the necessary qualifications by reviewing the
7 application or any other official records, such as voter
8 registration records, or whether the applicant has a properly
9 completed certification of political party affiliation in the
10 application. If the challenge alleges that the appointee is a known
11 active advocate of a political party other than the one on the
12 appointee's application, the board of election commissioners
13 immediately shall provide the appointee with a copy of the
14 challenge by certified mail, personal service, or electronic
15 transmission capable of determining date of receipt. The appointee
16 may respond to the challenge within 2 business days after receiving
17 a copy of the challenge. A response ~~shall~~**MUST** be by affidavit
18 addressing the specific reasons for the challenge. Failure to
19 respond ~~shall result~~**RESULTS** in revocation of the appointment.
20 Within 2 business days after receiving the challenge or a response
21 from the appointee, whichever is later, the board of election
22 commissioners shall make a final determination and notify the
23 appointee and the county chair of the political party of the
24 determination.

25 (5) If a vacancy occurs in the office of chairperson or in the
26 office of election inspector before election day, the chairperson
27 of the board of election commissioners shall designate some other

1 properly qualified applicant or election inspector as chairperson
2 or some other qualified applicant as election inspector, as
3 applicable, subject to this section. If a vacancy occurs in the
4 office of chairperson on election day, the remaining election
5 inspectors shall designate 1 of the inspectors as chairperson.

6 Sec. 677. (1) Except as otherwise provided in subsection (4),
7 a precinct election inspector ~~shall~~**MUST** be a qualified and
8 registered elector of this state, ~~shall~~**MUST** have a good
9 reputation, and ~~shall~~**MUST** have sufficient education and clerical
10 ability to perform the duties of the office. A person ~~shall~~**MUST**
11 not be appointed to a board of election inspectors unless the
12 person has filed an application with a city ~~,~~**OR** township ~~,~~~~or~~
13 ~~village~~-clerk in that county where the individual wishes to serve
14 as election inspector.

15 (2) The application ~~shall~~**MUST** be in his or her own
16 handwriting and ~~shall~~**MUST** contain the applicant's name, home
17 address, ward and precinct registration if any, date of birth,
18 political party affiliation, education, employment, and other
19 experience qualifications. The application ~~shall~~**MUST** provide a
20 certification that the applicant is not a member or a known active
21 advocate, as that term is defined in section 674, of a political
22 party other than the one entered on the application. The form of
23 the application under this section ~~shall~~**MUST** be approved by the
24 state director of elections. The clerk shall maintain a file of
25 applications filed under this section and make the applications
26 available for public inspection at the clerk's office during normal
27 business hours.

1 (3) A person ~~shall~~**MUST** not be knowingly appointed or
2 permitted to act as a precinct election inspector if the person or
3 any member of his or her immediate family is a candidate for
4 nomination or election to any office at the election or who has
5 been convicted of a felony or election crime. A person ~~shall~~**MUST**
6 not be permitted to act as an election inspector if he or she has
7 failed to attend a school of instruction or failed to take an
8 examination as provided in section 683. This section does not
9 prohibit the candidate for or delegate to a political party
10 convention from acting as an election inspector in a precinct other
11 than the precinct in which he or she resides. An election ~~shall~~
12 **MUST** not be invalidated merely because of the violation of the
13 provisions of this section.

14 (4) Except as otherwise provided in this subsection and
15 subject to subsection (5), a person who is 16 or 17 years of age
16 may be appointed to a board of election inspectors. Before a person
17 may be appointed under this subsection, the first 3 members of the
18 board required to be appointed under section 672 must meet the
19 requirements of subsections (1) to (3). A person who is appointed
20 under this subsection must meet the requirements of subsections (1)
21 to (3) other than being a qualified and registered elector of this
22 state. A person who is appointed under this subsection is not
23 eligible to be designated as chairperson of the board under section
24 674.

25 (5) If a person seeking appointment to a board of election
26 inspectors under subsection (4) is attending a K-12 school and if
27 an election falls on a school day, the person shall provide to the

1 clerk, along with the application filed under subsections (1) and
2 (2), a written document from his or her school specifically
3 acknowledging that person's application for appointment to the
4 board of election inspectors and specifically excusing that person
5 from school on the date of service, if the appointment is made.

6 Sec. 679. (1) The legislative body of a city ~~,—OR~~ township, ~~or~~
7 ~~village,~~ by resolution, may provide that for an election in a
8 precinct of the city ~~,—OR~~ township, ~~or village,~~ there shall be an
9 additional board of election inspectors, known as the counting
10 board. The counting board ~~shall—~~**MUST** consist of 3 or more election
11 inspectors. Sections 673a and 674 apply to the appointment of
12 election inspectors to counting boards under this section. The
13 counting board shall count the ballots cast in the precinct at an
14 election and make a statement of returns of that count. The
15 provisions of this chapter relative to the appointment,
16 qualifications, privileges, powers, duties, and oaths of office of
17 election inspectors ~~shall—~~apply to the members of a counting board,
18 to the extent that they apply to the counting of the votes cast at
19 and the making of the statement of returns of an election.

20 (2) In a precinct for which a counting board has been
21 provided, the duties of the election inspectors who have conducted
22 the election during the day ~~shall—~~cease on the closing of the polls
23 and, upon the closing of the polls, the counting board ~~shall—assume~~
24 **ASSUMES** charge and control of the place of voting, the ballot
25 boxes, the ballots, and all other equipment of the polling place
26 and shall proceed with the counting of votes. The counting board
27 shall perform all duties required by this act to be performed after

1 the closing of the polls at an election by the board of election
2 inspectors in a precinct that does not have a counting board, as
3 provided in this section.

4 (3) Section 662 applies to the designation and prescribing of
5 the place or places in which the counting board performs its duties
6 under this section.

7 Sec. 679a. (1) The election commission of a city ~~, OR~~ township
8 ~~, or village~~ shall, by resolution, provide that at an election at
9 which the ballots are counted and certified at the precinct, 1 or
10 more additional boards of election inspectors be appointed to serve
11 as receiving boards. For a precinct having receiving boards, the
12 board of election commissioners shall appoint a receiving board
13 consisting of 2 or more election inspectors, with an equal number
14 from each major political party, and shall appoint an equal number
15 of election inspectors from each major political party.

16 (2) Not less than 2 election inspectors in a precinct,
17 representing each of the major political parties, shall deliver to
18 the receiving board for that precinct a sealed ballot container
19 containing the voted ballots, and, in a separate sealed envelope,
20 the poll book and statement of returns. The poll book and statement
21 of returns may be enclosed in a single sealed envelope.

22 (3) The receiving board shall open the sealed envelope and
23 review the poll book and statement of returns to determine both of
24 the following:

25 (a) That the ballot container is properly sealed and the seal
26 number is properly recorded in the poll book and the statement of
27 returns. If the ballot container is not properly sealed or there is

1 a discrepancy with the seal number recorded in the poll book or the
2 statement of returns, the election inspectors who delivered the
3 ballot container and the receiving board shall together take the
4 necessary steps to correct the discrepancy. The election inspectors
5 and the receiving board shall note the discrepancy and the
6 corrective action in the remarks section of the poll book and all
7 shall sign the notation.

8 (b) That the number of individuals voting recorded in the poll
9 book equals the number of ballots issued to electors, as shown by
10 the statement of returns. If the number of individuals voting as
11 shown by the poll book does not equal the number of ballots counted
12 as shown by the statement of returns, and if an explanation of the
13 discrepancy has not been noted in the poll book, the receiving
14 board shall ask the election inspectors about the discrepancy, note
15 the explanation in the poll book, and all shall sign the notation.

16 (4) If the poll book or statement of returns has been
17 erroneously sealed in the ballot container, the election inspectors
18 may open the ballot container and remove the poll book or statement
19 of returns. The elections inspectors and receiving board shall note
20 the corrective action in the remarks section of the poll book and
21 all shall sign the notation before placing the poll book or
22 statement of returns in a separate sealed envelope. If the
23 statement of returns was sealed in the ballot container and the
24 poll book was sealed in an envelope, the poll book ~~shall~~**MUST** be
25 removed from the sealed envelope for the notation of corrective
26 action to be recorded before placing the poll book and statement of
27 returns in a sealed envelope. The receiving board shall notify the

1 clerk of the board of canvassers responsible for canvassing all or
2 a portion of the election of the corrective action taken.

3 (5) When the receiving board has completed the review under
4 subsection (3), the receiving board shall place the poll book and
5 statement of returns in the appropriate envelope, sealed with a red
6 paper seal and initialed by the receiving board. If permitted by
7 the clerk of the board of canvassers, the poll books and statement
8 of returns from more than 1 precinct may be included and delivered
9 in a single envelope.

10 Sec. 682. Any person employed as an inspector of election, or
11 in any other official capacity at any election, primary election,
12 or on any board of canvassers or board of registration, shall,
13 except as ~~herein~~ otherwise specifically provided, receive ~~such~~
14 reasonable compensation as ~~may be~~ allowed by the township board of
15 any township, board of ~~supervisors~~ **COMMISSIONERS** of any county, or
16 the legislative body of any city, ~~or village, as the case may~~
17 ~~be~~ **APPLICABLE**.

18 Sec. 683. Each county clerk ~~prior to~~ **BEFORE** each primary and
19 election shall, by some reliable means, notify the clerk of each
20 township and city in the county of a training school for election
21 inspectors to be held at a place designated by the county clerk
22 within 20 days ~~prior to~~ **BEFORE** each primary, general, and special
23 election. The township and city clerks shall notify each election
24 inspector appointed to serve at that election of the time and place
25 of ~~such~~ **THE** training school. At ~~such~~ **THE** meeting, the county clerk
26 shall instruct and demonstrate the manner in which the duties of
27 election inspectors are required by law to be performed. It ~~shall~~

1 ~~be~~ **IS** the duty of the inspectors, so notified, to attend ~~such~~ **THE**
 2 meeting unless excused by the county clerk for good cause.
 3 Compensation may be paid **TO** them ~~therefor~~ by their respective
 4 municipalities at ~~such~~ **A** rate as ~~may be~~ determined by the governing
 5 bodies. ~~No~~ **AN ELECTION** inspector ~~of election~~ shall **NOT** serve in any
 6 election unless he ~~shall have~~ **OR SHE HAS** within the last preceding
 7 2 years either attended an election school or ~~shall have~~ **HAS** passed
 8 satisfactorily an examination given by the election commission of
 9 the city ~~,~~ **OR** township ~~or village~~ in which appointed. The
 10 examination ~~shall be~~ **IS** subject to the approval of the secretary of
 11 state. This section ~~shall~~ **DOES** not prevent the appointment of an
 12 **ELECTION** inspector ~~of election~~ to fill a vacancy. This section
 13 ~~shall~~ **DOES** not prohibit any city or any township having a
 14 population of 10,000 or more from conducting its own training
 15 school for election inspectors of that city or township. ~~in which~~
 16 ~~case~~ **IF A CITY OR TOWNSHIP CONDUCTS ITS OWN TRAINING SCHOOL,**
 17 election inspectors who ~~have attended such~~ **ATTEND A CITY OR**
 18 **TOWNSHIP TRAINING** school ~~shall~~ **ARE** not ~~be~~ required to attend the
 19 county training school.

20 Sec. 690. The township ~~,~~ **OR** city ~~,~~ ~~or village~~ board of
 21 election commissioners for each jurisdiction conducting the
 22 election shall have the ballots required for a regular or special
 23 township, village, city, school, or community college election, or
 24 official primary election for the nomination of candidates for
 25 township, city, ward, or community college offices, to be printed
 26 and delivered to the election commission's township ~~,~~ ~~village,~~ ~~or~~
 27 city clerk at least 10 days before the election. The duties imposed

1 upon county boards of election commissioners and upon county,
2 township, and city clerks relative to the printing, counting,
3 packaging, sealing, and delivery of official ballots are imposed
4 upon the township and municipal boards of election commissioners
5 and the township ~~, village,~~ or city clerks relative to the
6 printing, counting, packaging, sealing, and delivery of official
7 ballots for use in each precinct of the township, village, or city
8 at a municipal, township, village, school, or community college
9 election.

10 Sec. 694. ~~All the provisions of sections~~ **SECTIONS** 691, 692,
11 693, and 695 ~~of this act shall also~~ apply to all city, village, and
12 township elections held in this state under ~~the provisions of this~~
13 act, except that the notice ~~herein~~ required to be given by a
14 candidate shall, in case of a city, village, or township office, be
15 given by him **OR HER** to the proper city ~~, village~~ or township board
16 of election commissioners within 2 days after his **OR HER** name ~~has~~
17 ~~been so~~ **IS** certified as nominated by 2 or more political parties
18 for the same office.

19 Sec. 719. The election commission of each city ~~, AND~~ township
20 ~~, and village~~ shall perform those duties relative to the
21 preparation, printing, and delivery of ballots as are required by
22 law of the boards of county election commissioners. ~~Like~~ **THE** duties
23 and privileges ~~as are~~ enjoined and granted by this act upon and to
24 the various committees of the different political organizations are
25 ~~hereby~~ prescribed for city ~~, village,~~ or township committees in
26 matters pertaining to any city ~~, village,~~ or township election,
27 except that it is not necessary for a city ~~, OR~~ township ~~, or~~

1 ~~village~~-committee of a political party or organization to furnish a
 2 heading for the ballots other than to designate the name of the
 3 party or political organization ~~which~~-**THAT** they represent. In
 4 cities ~~, villages,~~ and townships, the names of candidates for city
 5 ~~, OR~~ township ~~, or village~~ offices must be given by the committees
 6 of the various political organizations to the board of election
 7 commissioners of the city ~~, village,~~ or township not less than 18
 8 days before each election, but it is not necessary for any party
 9 committee to give to the board of election commissioners the name
 10 of any candidate nominated at an official primary election. The
 11 proof of the ballot must be open to public inspection at the office
 12 of the township ~~, OR~~ city ~~, or village~~ clerk not less than 15 days
 13 before the election.

14 Sec. 741. The board of inspectors of election shall preserve
 15 the unused ballots, together with the ballots ~~which~~-**THAT** have been
 16 spoiled by the electors and in place of which other ballots have
 17 been issued, and return them to the city ~~, OR~~ township ~~or village~~
 18 clerk, or other officer provided by a city ~~or village~~ charter, with
 19 a statement of the number of ballots voted, and the ~~said~~ clerk
 20 shall give to the **ELECTION** inspectors ~~of election~~ a receipt
 21 therefor, ~~which receipt shall~~-**THAT MUST** be filed with the chairman
 22 **CHAIRPERSON** of the board.

23 Sec. 743. ~~No~~-**AN** elector to whom an official ballot has been
 24 delivered ~~shall be~~-**IS NOT** permitted to ~~pass without~~-**LEAVE** the
 25 polling place without either voting ~~such~~-**THE** ballot or returning ~~it~~
 26 **THE BALLOT** to the inspector from whom he **OR SHE** received ~~it,~~ and
 27 ~~any elector who shall attempt~~-**THE BALLOT. AN ELECTOR WHO ATTEMPTS**

1 to ~~pass without~~ **LEAVE** the polling place with a ballot ~~or election~~
2 ~~pencil~~ in his **OR HER** possession, and ~~shall refuse~~ **REFUSES** to
3 deliver the ~~same~~ **BALLOT** upon request, ~~shall~~ **MUST** be at once
4 arrested on demand of any member of the board of **ELECTION**
5 inspectors.

6 Sec. 762. If from any precinct the ~~said township, village or~~
7 city clerk ~~shall~~ **DOES** not receive any application for absent voter
8 ballots, ~~he~~ **THE CLERK** shall deliver the packages of absent voter
9 ballots intact to the ~~chairman~~ **CHAIRPERSON** or some member of the
10 board of **ELECTION** inspectors ~~of election of said~~ **THE** precinct
11 before the opening of the polls on election day.

12 Sec. 764b. (1) An absent voter ballot ~~shall~~ **MUST** be delivered
13 to the clerk only as authorized in the instructions for an absent
14 voter provided in section 764a.

15 (2) The clerk of a city ~~,~~ **OR** township ~~,~~ ~~or village~~ may accept
16 delivery of absent voter ballots at any location in the city ~~,~~ **OR**
17 township. ~~,~~ ~~or village.~~

18 (3) The clerk of a city ~~,~~ **OR** township ~~,~~ ~~or village~~ may appoint
19 the number of assistants necessary to accept delivery of absent
20 voter ballots at any location in the city ~~,~~ **OR** township. ~~,~~ ~~or~~
21 ~~village.~~ An appointment as assistant to accept delivery of absent
22 voter ballots ~~shall~~ **MUST** be for 1 election only. An assistant
23 appointed to receive ballots at a location other than the office of
24 the clerk ~~shall~~ **MUST** be furnished credentials of authority by the
25 clerk. If an absent voter's ballot is received by an assistant at
26 any location other than the clerk's office the assistant, upon
27 request, shall exhibit the credentials to the absent voter before

1 the assistant accepts an absent voter ballot. An assistant, before
2 entering upon the discharge of duties, shall take and subscribe to
3 the oath of office as provided in section 1 of article XI of the
4 state constitution of 1963. An assistant shall perform only the
5 duties assigned by the clerk. A person ~~shall~~**MUST** not be appointed
6 as an assistant to accept delivery of absent voter ballots who is a
7 candidate or a member of the immediate family of a candidate whose
8 name appears on the ballot at that election.

9 (4) A clerk who receives a request from an absent voter under
10 section 764a for assistance in returning his or her absent voter
11 ballot shall make arrangements to collect the ballot from the voter
12 either personally or by sending an authorized assistant, if all of
13 the following conditions are satisfied:

14 (a) The clerk's office issued the absent voter ballot to that
15 absent voter.

16 (b) Upon the clerk's request, the absent voter states that he
17 or she is unable to return the absent voter ballot by the other
18 means specified in instructions (a), (b), or (c) of Step 5 under
19 section 764a.

20 (c) The absent voter telephones the appropriate clerk for
21 assistance on or before 5 p.m. on the Friday immediately ~~preceding~~
22 **BEFORE** the election.

23 (d) The absent voter ~~is requesting~~**REQUESTS** the clerk to pick
24 up the absent voter ballot within the jurisdictional limits of the
25 city ~~,~~**OR** township ~~,~~~~or village~~ in which the absent voter is
26 registered.

27 (5) Notwithstanding subsection (4), a clerk who receives a

1 request from an absent voter under section 764a for assistance in
2 returning his or her absent voter ballot may make arrangements to
3 collect the ballot from the voter either personally or by sending
4 an authorized assistant, if all of the following conditions are
5 satisfied:

6 (a) The clerk's office issued the absent voter ballot to that
7 absent voter.

8 (b) Upon the clerk's request, the absent voter states that he
9 or she is unable to return the absent voter ballot by the other
10 means specified in instructions (a), (b), or (c) of Step 5 under
11 section 764a.

12 (6) The clerk shall maintain a list open to the public that
13 contains the names and addresses of all authorized assistants
14 appointed under this section who are available to collect absent
15 voter ballots on or before election day in that city or township.

16 (7) An absent voter ballot received by the clerk before the
17 close of the polls on election day ~~shall~~**MUST** not be invalidated
18 solely because the delivery to the clerk was not in compliance with
19 section 764a or this section, however the ballot ~~shall~~**MUST** be
20 considered challenged and ~~shall~~**MUST** be marked and processed as
21 provided in section 745.

22 Sec. 764c. If a city ~~, OR~~ township ~~, or village~~ has access to
23 the ballot tracker program provided by ~~the~~**THIS** state, the clerk of
24 that city ~~, OR~~ township ~~, or village~~ shall utilize the ballot
25 tracker program and allow voters to track their absent voter
26 ballots online.

27 Sec. 765. (1) A clerk who receives an absent voter ballot

1 return envelope containing the marked ballots of an absent voter
2 shall not open that envelope before delivering the envelope to the
3 board of election inspectors as provided in this section. The city
4 ~~, village,~~ or township clerk shall safely keep in his or her office
5 until election day any absent voter ballot return envelopes
6 received by the clerk before election day containing the marked
7 ballots of an absent voter.

8 (2) Before the opening of the polls on election day or as soon
9 after the opening of the polls as possible, the clerk shall deliver
10 the absent voter ballot return envelopes to the chairperson or
11 other member of the board of election inspectors in the absent
12 voter's precinct, together with the signed absent voter ballot
13 applications received by the clerk from any voters of that precinct
14 and the clerk's list or record kept relative to those absent
15 voters. However, if higher numbered ballots are used ~~pursuant to~~
16 **UNDER** section 717, the clerk shall retain the applications and
17 lists in his or her office and shall keep the applications and
18 lists open to public inspection at all reasonable hours.

19 (3) The city ~~, village,~~ or township clerk, or authorized
20 designee of the clerk, shall call for and receive absent voter
21 ballots from the post office at which the city ~~, village,~~ or
22 township clerk regularly receives mail addressed to the city ~~,~~
23 ~~village,~~ or township clerk on election day in sufficient time to
24 deliver any envelopes containing absent voter ballots to the board
25 of election inspectors before the close of the polls.

26 (4) If a marked absent voter ballot is received by the clerk
27 after the close of the polls, the clerk shall plainly mark the

1 envelope with the time and date of receipt and shall file the
2 envelope in his or her office. Except as otherwise provided in
3 section 759b, the clerk shall not deliver an absent voter ballot to
4 a voter after the opening of the polls on election day.

5 (5) On or before 8 a.m. on election day, the clerk shall post
6 in the clerk's office or otherwise make public the number of absent
7 voter ballots the clerk distributed to absent voters and the number
8 of absent voter ballot return envelopes containing the marked
9 ballots of absent voters received by the clerk before election day
10 and delivered to the board of election inspectors or the absent
11 voter counting boards pursuant to this act. On or before 9 p.m. on
12 election day, the clerk shall post in the clerk's office or
13 otherwise make public the number of absent voter ballot return
14 envelopes containing the marked ballots of absent voters received
15 by the clerk on election day and delivered to the board of election
16 inspectors ~~pursuant to~~ **UNDER** subsection (3), along with the total
17 number of absent voter ballot return envelopes containing the
18 marked ballots of absent voters received by the clerk both before
19 and on election day and delivered to the board of election
20 inspectors or the absent voter counting boards ~~pursuant to~~ **UNDER**
21 this act. As soon as possible after all precincts in the city ~~,~~ **OR**
22 township ~~,~~ ~~or village~~ are processed, the clerk shall post in the
23 clerk's office or otherwise make public the number of absent voter
24 ballot return envelopes containing the marked ballots of absent
25 voters received by the election inspectors at the precincts on
26 election day, along with the total number of absent voter ballot
27 return envelopes containing the marked ballots of absent voters

1 received in the city ~~OR~~ township ~~or village~~ for that election.
 2 This subsection applies only to elections in which a federal or
 3 state office appears on the ballot.

4 Sec. 766. (1) Upon receipt from the city ~~OR~~ township ~~or~~
 5 ~~village~~ clerk of any envelope containing the marked ballot or
 6 ballots of an absent voter, the board of inspectors of election
 7 shall verify the legality of ~~such~~ **THE** vote by ~~an examination of a~~
 8 **DOING BOTH OF THE FOLLOWING:**

9 (A) **EXAMINING THE** digitized signature for the absent voter
 10 included in the qualified voter file under section 509q or the
 11 registration record as provided in subsection (2) to see that the
 12 person has not voted in person, that he **OR SHE** is a registered
 13 voter, and that the signature on the statement agrees with the
 14 signature on the registration record. ~~and by an examination of~~

15 (B) **EXAMINING** the statement of ~~such~~ **THE** voter to see that it
 16 is properly executed.

17 (2) The qualified voter file ~~shall~~ **MUST** be used to determine
 18 the genuineness of a signature on an envelope containing an absent
 19 voter ballot. Signature comparisons ~~shall~~ **MUST** be made with the
 20 digitized signature in the qualified voter file. If the qualified
 21 voter file does not contain a digitized signature of an elector, or
 22 is not accessible to the clerk, the city or township clerk shall
 23 compare the signature appearing on an envelope containing an absent
 24 voter ballot to the signature contained on the master card.

25 Sec. 957. (1) A person circulating a **RECALL** petition shall ~~be~~
 26 ~~a qualified and registered elector in the electoral district of the~~
 27 ~~official sought to be recalled and shall attach thereto his~~

1 ~~certificate stating that he is a qualified and registered elector~~
 2 ~~in the electoral district of the official sought to be recalled and~~
 3 ~~shall state the city or the township wherein he resides and his~~
 4 ~~post office address; further, that~~ **STATE IN THE CERTIFICATE OF**
 5 **CIRCULATOR HIS OR HER RESIDENCE ADDRESS AND THAT HE OR SHE IS 18**
 6 **YEARS OF AGE OR OLDER AND A UNITED STATES CITIZEN. IN ADDITION, THE**
 7 **CERTIFICATE OF CIRCULATOR MUST INDICATE ALL OF THE FOLLOWING:**

8 **(A) THAT** signatures appearing upon the **RECALL** petition were
 9 not obtained through fraud, deceit, or misrepresentation and that
 10 he **OR SHE** has neither caused nor permitted a person to sign the
 11 **RECALL** petition more than once and has no knowledge of a person
 12 signing the **RECALL** petition more than once. ~~that~~

13 **(B) THAT** all signatures to the **RECALL** petition were affixed in
 14 his **OR HER** presence. ~~and that~~

15 **(C) THAT,** to the best of his **OR HER** knowledge, information,
 16 and belief, the signers of the **RECALL** petition are qualified and
 17 registered electors and the signatures appearing ~~thereon~~ **ON THE**
 18 **RECALL PETITION** are the genuine signatures of the persons ~~of whom~~
 19 ~~they purport to be.~~ **SIGNING THE RECALL PETITION.**

20 **(2)** A person who knowingly makes a false statement in the
 21 certificate ~~hereby required~~ **OF CIRCULATOR** is guilty of a
 22 misdemeanor.

23 Enacting section 1. Sections 15, 121, 149, 221 to 241, 302a,
 24 416a to 416d, 426a to 426n, 467n, 467p, 613c, 647, 655, 656, 669a,
 25 704, 705, 717a, 739, 761a, 802, 804, 847, and 947 of the Michigan
 26 election law, 1954 PA 116, MCL 168.15, 168.121, 168.149, 168.221 to
 27 168.241, 168.302a, 168.416a to 168.416d, 168.426a to 168.426n,

1 168.467n, 168.467p, 168.613c, 168.647, 168.655, 168.656, 168.669a,
2 168.704, 168.705, 168.717a, 168.739, 168.761a, 168.802, 168.804,
3 168.847, and 168.947, are repealed.

4 Enacting section 2. This amendatory act takes effect 90 days
5 after the date it is enacted into law.