

# SENATE BILL No. 809

February 13, 2018, Introduced by Senator ROBERTSON and referred to the Committee on Elections and Government Reform.

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 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  
 10 system in order to select the uniform voting system. The secretary  
 11 of state shall not consider a voting system for selection as the

1 uniform voting system unless the voting system is approved and  
2 certified as provided in section 795a. At the secretary of state's  
3 request, the board of state canvassers shall perform the approval  
4 and certification review, as provided in section 795a, of a voting  
5 system that the secretary of state wants to consider for selection  
6 as the uniform voting system.

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

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

27 (5) If, after selection of the uniform voting system, the

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2 longer serves the welfare of the voters or has become out of date  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

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

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

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

26 Sec. 71. ~~(1)~~ A person ~~shall~~ **IS** not ~~be~~ eligible to the offices  
27 of secretary of state or attorney general if the person is not a

1 registered and qualified elector of this state by the date the  
2 person is nominated for the office.

3 ~~—— (2) A person who has been convicted of a violation of section~~  
4 ~~12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible to the~~  
5 ~~offices of secretary of state or attorney general for a period of~~  
6 ~~20 years after conviction.~~

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

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

27       Sec. 161. ~~(1)~~~~A person shall~~**IS** not be eligible to the office

1 of state senator or representative unless the person is a citizen  
2 of the United States and a registered and qualified elector of the  
3 district he or she represents by the filing deadline, as provided  
4 in section 7 of article ~~4-IV~~ of the state constitution of 1963.

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 ~~office of state senator or representative for a period of 20 years~~  
8 ~~after conviction.~~

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

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 to any of~~  
16 ~~the offices enumerated in this section for a period of 20 years~~  
17 ~~after conviction.~~

18       Sec. 254. (1) To obtain the printing of the name of a person  
19 as a candidate for nomination by a political party for the office  
20 of county road commissioner under a particular party heading upon  
21 the official primary ballots, there shall ~~shall~~ **MUST** be filed with the  
22 county clerk of the county nominating petitions signed by a number  
23 of qualified and registered electors residing within the county as  
24 determined under section 544f. Nominating petitions shall ~~shall~~ **MUST** be  
25 in the form prescribed in section 544c. ~~Until December 31, 2013,~~  
26 ~~the county clerk shall receive nominating petitions up to 4 p.m. of~~  
27 ~~the twelfth Tuesday before the August primary in which county road~~

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

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

24 Sec. 281. ~~(1)~~ A person ~~shall~~ **IS** not ~~be~~ eligible to membership  
25 on the state board of education, the board of regents of the  
26 ~~university~~ **UNIVERSITY** of Michigan, the board of trustees of  
27 Michigan ~~state university,~~ **STATE UNIVERSITY**, or the board of

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

4 ~~—— (2) A person who has been convicted of a violation of section~~  
5 ~~12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible to~~  
6 ~~membership on any of the boards enumerated in this section for a~~  
7 ~~period of 20 years after conviction.~~

8       Sec. 302. An individual is eligible for election as a school  
9 board member if the individual is a citizen of the United States  
10 and is a qualified and registered elector of the school district  
11 the individual seeks to represent by the filing deadline. At least  
12 1 school board member for a school district ~~shall~~ **MUST** be elected  
13 at each of the school district's regular elections held as provided  
14 in section 642c. Except as otherwise provided in this section or  
15 section 310 or 644g, a school board member's term of office is  
16 prescribed by the applicable provision of section 11a, 617, 701, or  
17 703 of the revised school code, 1976 PA 451, MCL 380.11a, 380.617,  
18 380.701, and 380.703, or section 34, 34a, 41, 54, or 83 of the  
19 community college act of 1966, 1966 PA 331, MCL 389.34, 389.34a,  
20 389.41, 389.54, and 389.83. ~~Except as provided in section 302a, if~~  
21 **IF** a ballot question changing the number of school board members or  
22 changing the terms of office for school board members ~~pursuant to~~  
23 **UNDER** section 11a of the revised school code, 1976 PA 451, MCL  
24 380.11a, is proposed and a school district needs a temporary  
25 variance from the terms of office provisions in this act and the  
26 revised school code, 1976 PA 451, MCL 380.1 to 380.1852, to phase  
27 in or out school board members' terms of office, the school board



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

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

1 the affidavit required by section 558 with the school district  
2 filing official not later than 4 p.m. on the fifteenth Tuesday  
3 before the election date. The nominating petition must be signed by  
4 the following number of electors of the school district:

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

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

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

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

22 \_\_\_\_\_ (name of candidate)

23 \_\_\_\_\_,  
24 (street address) \_\_\_\_\_ (city or township)

25 a registered and qualified elector of the district as a member  
26 of the board of education of the school district for a term

1 of \_\_\_\_\_ years, expiring \_\_\_\_\_, to be voted for at the  
2 election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
3 (month) (year)

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

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

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

17 (6) After a nominating petition is filed or filing fee is paid  
18 for a candidate for school board member, the candidate is not  
19 permitted to withdraw unless a written withdrawal notice, signed by  
20 the candidate, is filed with the school district filing official  
21 not later than 4 p.m. of the third day after the last day for  
22 filing the nominating petition. If the school district filing  
23 official is not a county clerk, the school district filing official  
24 shall notify the county clerk of the candidates' names and  
25 addresses not later than 3 days after the last day for filing a  
26 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 ~~such~~ **THOSE** duties relative to the  
21 preparation, printing, and delivery of ballots as are required by  
22 law of the boards of election commissioners of counties. ~~Like~~ **THE**  
23 duties and privileges ~~as are~~ enjoined and granted by this act upon  
24 and to the various committees of the different political  
25 organizations are ~~hereby~~ prescribed for city ~~, village~~ or township  
26 committees in matters pertaining to any city ~~, village~~ or township  
27 election, except that it ~~shall~~ **IS** not ~~be~~ necessary for a city ~~, OR~~



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1           Sec. 765. (1) A clerk who receives an absent voter ballot  
2 return envelope containing the marked ballots of an absent voter  
3 shall not open that envelope before delivering the envelope to the  
4 board of election inspectors as provided in this section. The city  
5 ~~, village,~~ or township clerk shall safely keep in his or her office  
6 until election day any absent voter ballot return envelopes  
7 received by the clerk before election day containing the marked  
8 ballots of an absent voter.

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

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

27           (4) If a marked absent voter ballot is received by the clerk

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

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

1 return envelopes containing the marked ballots of absent voters  
 2 received in the city  ~~,OR township ,or village~~ for that election.  
 3 This subsection applies only to elections in which a federal or  
 4 state office appears on the ballot.

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

9 **DOING BOTH OF THE FOLLOWING:**

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

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

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

26 Sec. 957. (1) A person circulating a **RECALL** petition shall  ~~be~~  
 27  ~~a qualified and registered elector in the electoral district of the~~

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

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

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

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

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

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



1 168.241, 168.302a, 168.416a to 168.416d, 168.426a to 168.426n,  
2 168.467n, 168.467p, 168.613c, 168.647, 168.655, 168.656, 168.669a,  
3 168.704, 168.705, 168.717a, 168.739, 168.761a, 168.802, 168.804,  
4 168.847, and 168.947, are repealed.

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