

HOUSE BILL NO. 4530

March 17, 2021, Introduced by Reps. Calley, Filler and Whitsett and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 3, 52, 53, 92, 93, 132, 133, 162, 163, 192,
193, 253, 254, 322, 345, 349, 370, 409a, 412, 432, 433, 467a, 534,
535, 551, 559, 591, 592, 598, 611, 623a, 641, 642, 642a, 686a,
737a, 821, 963, and 970e (MCL 168.3, 168.52, 168.53, 168.92,
168.93, 168.132, 168.133, 168.162, 168.163, 168.192, 168.193,
168.253, 168.254, 168.322, 168.345, 168.349, 168.370, 168.409a,
168.412, 168.432, 168.433, 168.467a, 168.534, 168.535, 168.551,

168.559, 168.591, 168.592, 168.598, 168.611, 168.623a, 168.641, 168.642, 168.642a, 168.686a, 168.737a, 168.821, 168.963, and 168.970e), section 3 as amended by 2018 PA 603, sections 53, 93, 133, 163, 193, and 551 as amended by 2012 PA 276, sections 254, 433, and 467a as amended by 2018 PA 120, section 322 as amended by 2015 PA 103, section 349 as amended by 2018 PA 654, section 370 as amended by 2014 PA 94, section 534 as amended by 2018 PA 224, section 591 as amended by 2012 PA 128, sections 592, 598, and 623a as amended by 1988 PA 116, section 611 as amended by 1996 PA 583, section 641 as amended by 2015 PA 197, section 642 as amended by 2015 PA 100, section 642a as amended by 2012 PA 523, section 686a as amended by 1999 PA 216, section 737a as amended by 2018 PA 611, section 821 as amended by 2018 PA 614, section 963 as amended by 2015 PA 99, and section 970e as amended by 2015 PA 102.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act:

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

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

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

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

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

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

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

1 (h) "Regular ballot" means a ballot that is issued to a voter
2 on election day at a polling place location.

3 (i) "Qualified elector" is defined in section 10.

4 (j) "Qualified voter file" is defined in section 509m.

5 (k) "Regular election" means an election held on a regular
6 election date to elect an individual to, or nominate an individual
7 for, elective office in the regular course of the terms of that
8 elective office.

9 (l) "Regular election date" means 1 of the dates established as
10 a regular election date in section 641.

11 (m) "Residence" is defined in section 11.

12 Sec. 52. A general primary election of all political parties
13 ~~shall~~**must** be held in every election precinct in this state on the
14 Tuesday ~~succeeding~~**after** the first Monday in ~~August~~**preceding** ~~June~~
15 **before** every general November election in which a governor is to be
16 elected, at which time the qualified and registered electors of
17 each political party shall vote for party candidates for the office
18 of governor. This section ~~shall~~**does** not apply to parties required
19 to nominate candidates at caucuses or conventions.

20 Sec. 53. To obtain the printing of the name of ~~a person~~**an**
21 **individual** as a candidate for nomination by a political party for
22 the office of governor under a particular party heading ~~upon~~**on** the
23 official primary ballots, there ~~shall~~**must** be filed with the
24 secretary of state nominating petitions signed by a number of
25 qualified and registered electors residing in this state as
26 determined under section 544f. Nominating petitions ~~shall~~**must** be
27 signed by at least 100 registered resident electors in each of at
28 least 1/2 of the congressional districts of ~~the~~**this** state.
29 Nominating petitions ~~shall~~**must** be in the form as prescribed in

1 section 544c. ~~Until December 31, 2013, nominating petitions shall~~
 2 ~~be received by the secretary of state for filing in accordance with~~
 3 ~~this act up to 4 p.m. of the twelfth Tuesday before the August~~
 4 ~~primary. Beginning January 1, 2014, nominating~~ **Nominating** petitions
 5 ~~shall~~ **must** be received by the secretary of state for filing in
 6 accordance with this act up to 4 p.m. of the fifteenth Tuesday
 7 before the ~~August~~ **June** primary.

8 Sec. 92. A general primary election of all political parties
 9 ~~shall~~ **must** be held in every election precinct in this state on the
 10 Tuesday ~~succeeding~~ **after** the first Monday in ~~August~~ ~~preceding~~ **June**
 11 **before** every general November election, at which time the qualified
 12 and registered electors of each political party may vote for a
 13 party candidate for the office of United States ~~senator,~~ **Senator,**
 14 to be filled at ~~said~~ ~~the~~ election. ~~∴ Provided, That this~~ **This**
 15 section ~~shall~~ **does** not apply to parties required to nominate
 16 candidates at caucuses or conventions. ~~∴ Provided further, That no~~
 17 **A** nomination for the office of United States ~~senator~~ ~~shall~~ **Senator**
 18 **must not** be made unless ~~such~~ ~~the~~ official is to be elected at the
 19 next succeeding general November election.

20 Sec. 93. In order for the name of ~~a person~~ ~~an~~ **individual** as a
 21 candidate for nomination by a political party for the office of
 22 United States ~~senator~~ **Senator** to appear under a particular party
 23 heading on the official primary ballot, a nominating petition ~~shall~~
 24 **must** be filed with the secretary of state. The nominating petition
 25 ~~shall~~ **must** have been signed by a number of qualified and registered
 26 electors residing within this state as determined under section
 27 544f. The nominating petition ~~shall~~ **must** be signed by at least 100
 28 qualified and registered electors in each of at least 1/2 of the
 29 congressional districts of this state. Nominating petitions ~~shall~~

1 **must** be in the form as prescribed in section 544c. ~~Until December~~
 2 ~~31, 2013, the nominating petition shall be filed with the secretary~~
 3 ~~of state no later than 4 p.m. of the twelfth Tuesday before the~~
 4 ~~August primary. Beginning January 1, 2014, the **The** nominating~~
 5 ~~petition shall **must** be filed with the secretary of state no later~~
 6 ~~than 4 p.m. of the fifteenth Tuesday before the ~~August~~ **June**~~
 7 ~~primary.~~

8 Sec. 132. A general primary election of all political parties
 9 ~~shall **must** be held in every election precinct in this state on the~~
 10 ~~Tuesday ~~succeeding~~ **after** the first Monday in ~~August~~ ~~preceding~~ **June**~~
 11 ~~**before** every general November election, at which time the qualified~~
 12 ~~and registered electors of each political party within every~~
 13 ~~congressional district shall vote for party candidates for the~~
 14 ~~office of ~~representative~~ **Representative** in ~~congress~~ **Congress** to be~~
 15 ~~filled at ~~said~~ ~~the~~ election. ~~:-~~ ~~Provided, That this~~ **This** section~~
 16 ~~shall **does** not apply to parties required to nominate candidates at~~
 17 ~~caucuses or conventions.~~

18 Sec. 133. In order for the name of ~~a person~~ **an individual** as a
 19 candidate for nomination by a political party for the office of
 20 ~~representative~~ **Representative** in ~~congress~~ **Congress** to appear under
 21 a particular party heading on the official primary ballot in the
 22 election precincts of a congressional district, a nominating
 23 petition ~~shall **must** have been signed by a number of qualified and~~
 24 ~~registered electors residing in the district as determined under~~
 25 ~~section 544f. ~~Until December 31, 2013, if the congressional~~~~
 26 ~~district comprises more than 1 county, the nominating petition~~
 27 ~~shall be filed with the secretary of state no later than 4 p.m. of~~
 28 ~~the twelfth Tuesday before the August primary. Beginning January 1,~~
 29 ~~2014, if **If** the congressional district comprises more than 1~~

1 county, the nominating petition ~~shall~~**must** be filed with the
 2 secretary of state no later than 4 p.m. of the fifteenth Tuesday
 3 before the ~~August~~**June** primary. ~~Until December 31, 2013, if the~~
 4 ~~congressional district is within 1 county, the nominating petition~~
 5 ~~shall be filed with the county clerk of that county no later than 4~~
 6 ~~p.m. of the twelfth Tuesday before the August primary. Beginning~~
 7 ~~January 1, 2014, if~~**If** the congressional district is within 1
 8 county, the nominating petition ~~shall~~**must** be filed with the county
 9 clerk of that county no later than 4 p.m. of the fifteenth Tuesday
 10 before the ~~August~~**June** primary. Nominating petitions ~~shall~~**must** be
 11 in the form as prescribed in section 544c.

12 Sec. 162. A general primary election of all political parties
 13 ~~shall~~**must** be held in every election precinct in this state on the
 14 Tuesday ~~succeeding~~**after** the first Monday in ~~August~~**preceding****June**
 15 **before** every general November election, at which time the qualified
 16 and registered electors of each political party within every
 17 senatorial district and every representative district shall vote
 18 for party candidates for the offices of state senator and
 19 representative, to be filled at the November election. ~~÷ Provided,~~
 20 ~~That this~~**This** section ~~shall~~**does** not apply to parties required to
 21 nominate candidates at caucuses or conventions.

22 Sec. 163. (1) To obtain the printing of the name of ~~a person~~
 23 **an individual** as a candidate for nomination by a political party
 24 for the office of state senator or representative under a
 25 particular party heading ~~upon~~**on** the official primary ballots in
 26 the various election precincts of a district, there ~~shall~~**must** be
 27 filed nominating petitions signed by a number of qualified and
 28 registered electors residing in the district as determined under
 29 section 544f. If the district comprises more than 1 county, the

1 nominating petitions ~~shall~~**must** be filed with the secretary of
2 state. If the district comprises 1 county or less, the nominating
3 petitions ~~shall~~**must** be filed with the county clerk of that county.
4 Nominating petitions ~~shall~~**must** be in the form prescribed in
5 section 544c. ~~Until December 31, 2013, the secretary of state and~~
6 ~~the various county clerks shall receive nominating petitions for~~
7 ~~filing in accordance with this act up to 4 p.m. of the twelfth~~
8 ~~Tuesday before the August primary. Beginning January 1, 2014, the~~
9 **The** secretary of state and the various county clerks shall receive
10 nominating petitions for filing in accordance with this act up to 4
11 p.m. of the fifteenth Tuesday before the ~~August~~**June** primary.

12 (2) ~~In lieu~~**Instead** of filing a nominating petition, a filing
13 fee of \$100.00 may be paid to the county clerk or, for a candidate
14 in a district comprising more than 1 county, to the secretary of
15 state. Payment of the fee and certification of the name of the
16 candidate paying the fee ~~shall be~~**are** governed by the same
17 provisions as in the case of nominating petitions. The fee ~~shall~~
18 **must** be deposited in the general fund of the county and ~~shall~~**must**
19 be refunded to candidates who are nominated and to an equal number
20 of candidates who receive the next highest number of votes in the
21 primary election. If 2 or more candidates tie in having the lowest
22 number of votes allowing a refund, the sum of \$100.00 ~~shall~~**must** be
23 divided among them. A refund of a deposit ~~shall~~**must** not be made to
24 a candidate who withdraws as a candidate.

25 Sec. 192. A general primary election of all political parties
26 ~~shall~~**must** be held in every county of this state on the Tuesday
27 ~~succeeding~~**after** the first Monday in ~~August~~**preceding** ~~June~~**before**
28 the general November election at which the officers named in
29 section 191 ~~of this act~~ are to be elected, at which time the

1 qualified and registered electors of each political party may vote
2 for party candidates for the offices. This section ~~shall~~**does** not
3 apply to parties required to nominate candidates at caucuses or
4 conventions.

5 Sec. 193. (1) To obtain the printing of the name of ~~a person~~
6 **an individual** as a candidate for nomination by a political party
7 for an office named in section 191 under a particular party heading
8 ~~upon~~**on** the official primary ballots, there ~~shall~~**must** be filed
9 with the county clerk nominating petitions signed by a number of
10 qualified and registered electors residing within the county as
11 determined under section 544f. Nominating petitions ~~shall~~**must** be
12 in the form prescribed in section 544c. ~~Until December 31, 2013,~~
13 ~~the county clerk shall receive nominating petitions up to 4 p.m. of~~
14 ~~the twelfth Tuesday before the August primary. Beginning January 1,~~
15 ~~2014, the~~**The** county clerk shall receive nominating petitions up to
16 4 p.m. of the fifteenth Tuesday before the ~~August~~**June** primary.

17 (2) To obtain the printing of the name of a candidate of a
18 political party under the particular party's heading ~~upon~~**on** the
19 primary election ballots in the various voting precincts of the
20 county, ~~there may be filed by the candidate, in lieu~~**the candidate**
21 **may file, instead** of filing nomination petitions, a filing fee of
22 \$100.00 to be paid to the county clerk. Payment of the fee and
23 certification of the candidate's name paying the fee ~~shall be~~**are**
24 governed by the same provisions as in the case of nominating
25 petitions. The fee ~~shall~~**must** be deposited in the general fund of
26 the county and ~~shall~~**must** be refunded to candidates who are
27 nominated and to an equal number of candidates who receive the next
28 highest number of votes in the primary election. If 2 or more
29 candidates tie in having the lowest number of votes allowing a

1 refund, the sum of \$100.00 ~~shall~~**must** be divided among them. The
2 deposits of all other defeated candidates, as well as the deposits
3 of candidates who withdraw or are disqualified, ~~shall~~**must** be
4 forfeited and the candidates ~~shall~~**must** be notified of the
5 forfeiture. Deposits forfeited under this section ~~shall~~**must** be
6 paid into and credited to the general fund of the county.

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

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

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

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

14 Sec. 322. If a ~~charter~~**city** provides for nomination by caucus
 15 or by filing a petition or affidavit directly for the ~~May~~**June**
 16 election, the candidate filing deadline or certification deadline
 17 is 4 p.m. on the fifteenth Tuesday before the ~~May~~**June** election.

18 Sec. 345. A primary of all political parties ~~shall~~**must** be
 19 held in every organized township of this state on the Tuesday
 20 ~~succeeding~~**after** the first Monday in ~~August~~**preceding** ~~June~~**before**
 21 every general November election, at which time the qualified and
 22 registered electors of each political party may vote for party
 23 candidates for township offices.

24 Sec. 349. (1) To obtain the printing of the name of a ~~person~~
 25 **an individual** as a candidate for nomination by a political party
 26 for a township office under the particular party heading ~~upon~~**on**
 27 the official primary ballots, there must be filed with the township
 28 clerk nominating petitions signed by a number of qualified and
 29 registered electors residing within the township as determined

1 under section 544f. Nominating petitions must be in the form
2 prescribed in section 544c. The township clerk shall receive
3 nominating petitions up to 4 p.m. of the fifteenth Tuesday before
4 the ~~August~~**June** primary.

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

24 (3) Within 4 days after the last day for filing nominating
25 petitions or a filing fee, the township clerk shall deliver to the
26 county clerk a list setting forth the name, address, and political
27 affiliation and office sought of each candidate who has qualified
28 for a position on the primary ballot.

29 Sec. 370. (1) Except as provided in section 370a or subsection

1 (2), if a vacancy occurs in an elective or appointive township
2 office, the vacancy ~~shall~~**must** be filled by appointment by the
3 township board, and the ~~person~~**individual** appointed shall hold the
4 office for the remainder of the unexpired term.

5 (2) If 1 or more vacancies occur in an elective township
6 office that cause the number of members serving on the township
7 board to be less than the minimum number of board members that is
8 required to constitute a quorum for the transaction of business by
9 the board, the board of county election commissioners shall make
10 temporary appointment of the number of members required to
11 constitute a quorum for the transaction of business by the township
12 board. An official appointed under this subsection shall hold the
13 office only until the official's successor is elected or appointed
14 and qualified. An official who is temporarily appointed under this
15 subsection shall not vote on the appointment of himself or herself
16 to an elective or appointive township office.

17 (3) If a township official submits a written resignation from
18 an elective township office, for circumstances other than a
19 resignation related to a recall election, that specifies a date and
20 time when the resignation is effective, the township board, within
21 30 days before that effective date and time, may appoint ~~a person~~
22 **an individual** to fill the vacancy at the effective date and time of
23 the resignation. The resigning official shall not vote on the
24 appointment.

25 (4) Except as provided in subsection (5), if the township
26 board does not make an appointment under subsection (3), or if a
27 vacancy occurs in an elective township office and the vacancy is
28 not filled by the township board or the board of county election
29 commissioners within 45 days after the beginning of the vacancy,

1 the county clerk of the county in which the township is located
 2 shall call a special election within 5 calendar days to fill the
 3 vacancy. Not later than 4 p.m. on the fifteenth calendar day after
 4 the county clerk calls a special election under this section, the
 5 township party committee for each political party in the township
 6 shall submit a nominee to fill the vacancy. The special election
 7 ~~shall~~**must** be held on the next regular election date that is not
 8 less than 60 days after the deadline for submitting nominees under
 9 this section or 70 days after the deadline for submitting nominees
 10 under this section if the next regular election date is the even
 11 year ~~August~~**June** primary or the general November election. Notice
 12 of the special election ~~shall~~**must** be given in the same manner
 13 required by section 653a. A special election called under this
 14 section does not affect the rights of a qualified elector to
 15 register for any other election. A person elected to fill a vacancy
 16 shall serve for the remainder of the unexpired term.

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

24 Sec. 409a. A general nonpartisan primary election ~~shall~~**must**
 25 be held in every appellate court district of this state on the
 26 Tuesday ~~succeeding~~**after** the first Monday in ~~August~~**preceding** ~~June~~
 27 **before** every general November election in which judges of the court
 28 of appeals are to be elected, at which time the qualified and
 29 registered electors may vote for nonpartisan candidates for the

1 office of judge of the court of appeals. ~~Provided, however, That~~
 2 ~~if, If,~~ upon expiration of the time for filing petitions for the
 3 primary election of ~~said the~~ judge of the court of appeals in any
 4 appellate court district, it ~~shall appear~~ **appears** that there are
 5 not to exceed twice the number of candidates as there are ~~persons~~
 6 **individuals** to be elected, then the secretary of state shall
 7 certify to the county board or boards of election commissioners the
 8 names of ~~such the~~ candidates for court of appeals judge whose
 9 nominating petitions, filing fee, or affidavit of candidacy have
 10 been properly filed, and ~~such those~~ candidates shall be the
 11 nominees for judge of the court of appeals and shall be so
 12 certified. As to ~~such that~~ office, there ~~shall must not~~ be ~~no a~~
 13 primary election and this office ~~shall must~~ be omitted from the
 14 judicial primary ballot.

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

1 circuit court and shall be so certified. As to ~~such-that~~ office,
 2 there ~~shall-must not~~ be ~~no-a~~ primary election and this office ~~shall~~
 3 **must** be omitted from the judicial primary ballot.

4 Sec. 432. A general nonpartisan primary election ~~shall-must~~ be
 5 held in every county of this state on the Tuesday ~~succeeding-after~~
 6 the first Monday in ~~August-preceding~~ **June before** every general
 7 November election at which judges of probate are to be elected, at
 8 which time the qualified and registered electors may vote for
 9 nonpartisan candidates for the office of judge of probate. If, upon
 10 the expiration of the time for filing petitions or incumbency
 11 affidavits of candidacy for the primary election of ~~said-the~~
 12 probate judges in any county, it ~~shall-appear~~ **appears** that there
 13 are not to exceed twice the number of candidates as there are
 14 ~~persons-individuals~~ to be elected, then the county clerk shall
 15 certify to the county board of election commissioners the name of
 16 ~~such-the~~ candidate for probate judge whose petitions have been
 17 properly filed, and ~~such-the~~ candidate shall be the nominee for the
 18 judge of probate and shall be so certified. As to ~~such-that~~ office,
 19 there ~~shall-must not~~ be ~~no-a~~ primary election and this office ~~shall~~
 20 **must** be omitted from the judicial primary ballot.

21 Sec. 433. (1) Except as otherwise provided in this subsection,
 22 to obtain the printing of the name of ~~a person-an~~ **an individual** as a
 23 candidate for nomination for the office of judge of probate ~~upon-on~~
 24 the official nonpartisan primary ballots, there must be filed with
 25 the county clerk of each county nominating petitions containing the
 26 signatures, addresses, and dates of signing of a number of
 27 qualified and registered electors residing in the county as
 28 determined under section 544f or by the filing of an affidavit
 29 according to section 433a. In the case of a probate court district,

1 to obtain the printing of the name of ~~a person~~**an individual** as a
2 candidate for nomination for the office of judge of probate ~~upon~~**on**
3 the official nonpartisan primary ballots, there must be filed with
4 the secretary of state nominating petitions containing the
5 signatures, addresses, and dates of signing of a number of
6 qualified and registered electors residing in the probate court
7 district as determined under section 544f or by the filing of an
8 affidavit according to section 433a. The county clerk or, in the
9 case of a probate court district, the secretary of state shall
10 receive nominating petitions up to 4 p.m. on the fifteenth Tuesday
11 before the ~~August~~**June** primary. The provisions of sections 544a and
12 544b apply.

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

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

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

20 (c) A new judgeship.

21 (3) ~~A person~~**An individual** who files nominating petitions for
22 election to more than 1 probate judgeship has not more than 3 days
23 following the close of filing to withdraw from all but 1 filing.

24 (4) In a primary and general election for 2 or more judgeships
25 where more than 1 of the categories in subsection (2) could be
26 selected, a candidate shall apply to the bureau of elections for a
27 written statement of office designation to correspond to the
28 judgeship sought by the candidate. The office designation provided
29 by the secretary of state must be included in the heading of all

1 nominating petitions. Nominating petitions containing an improper
2 office designation are invalid.

3 (5) The secretary of state shall issue an office designation
4 of incumbent position for any judgeship for which the incumbent
5 judge is eligible to seek reelection. If an incumbent judge does
6 not file an affidavit of candidacy by the deadline, the secretary
7 of state shall notify all candidates for that office that a
8 nonincumbent position exists. All nominating petitions circulated
9 for the nonincumbent position after the deadline must bear an
10 office designation of nonincumbent position. All signatures
11 collected before the affidavit of candidacy filing deadline may be
12 filed with the nonincumbent nominating petitions.

13 (6) If a candidate for nomination for the office of judge of
14 probate receives incorrect or inaccurate written information from
15 the county clerk or, in the case of a probate court district, the
16 secretary of state concerning the number of nominating petition
17 signatures required under section 544f and that incorrect or
18 inaccurate written information is published or distributed by the
19 county clerk or, in the case of a probate court district, the
20 secretary of state, the candidate may bring an action in a court of
21 competent jurisdiction for equitable relief. A court may grant
22 equitable relief to a candidate under this subsection if all of the
23 following occur:

24 (a) The candidate brings the action for equitable relief
25 within 6 days after the candidate is notified by the county clerk
26 or, in the case of a probate court district, the secretary of state
27 that the candidate's nominating petition contains insufficient
28 signatures.

29 (b) The candidate files an affidavit certifying that he or she

1 contacted and received from the county clerk or, in the case of a
2 probate court district, the secretary of state incorrect or
3 inaccurate written information concerning the number of nominating
4 petition signatures required under section 544f.

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

10 (d) The county clerk or, in the case of a probate court
11 district, the secretary of state did not inform the candidate at
12 least 14 days before the filing deadline under subsection (1) that
13 incorrect or inaccurate written information concerning the number
14 of nominating petition signatures required under section 544f had
15 been published or distributed.

16 (7) If a court grants equitable relief to a candidate under
17 subsection (6), the candidate must be given the opportunity to
18 obtain additional nominating petition signatures to meet the
19 requirements under section 544f. The additional nominating petition
20 signatures obtained by a candidate must be filed with the county
21 clerk or, in the case of a probate court district, the secretary of
22 state no later than 4 p.m. on the fifth business day after the date
23 that the court order granting equitable relief is filed.

24 (8) The nominating petition signatures filed under this
25 section are subject to challenge as provided in section 552.

26 Sec. 467a. A general nonpartisan primary election must be held
27 in every district and election division of this state on the
28 Tuesday after the first Monday in ~~August~~ **June** before the general
29 election at which judges of the district court are elected, at

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

14 Sec. 534. A general primary of all political parties except as
 15 provided in sections 532 and 685 must be held in every election
 16 precinct in this state on the Tuesday after the first Monday in
 17 ~~August~~**June** before every general November election, at which time
 18 the qualified and registered voters of each political party may
 19 vote for party candidates for the office of governor, United States
 20 Senator, Representative in Congress, state senator, representative
 21 in the legislature, county executive, prosecuting attorney,
 22 sheriff, county clerk, county treasurer, register of deeds, drain
 23 commissioner, public works commissioner, county road commissioner,
 24 county mine inspector, surveyor, and candidates for office in
 25 townships. A nomination for an office must be made only if the
 26 official is to be elected at the next succeeding general November
 27 election.

28 Sec. 535. A general primary ~~shall~~**must** be held in every
 29 election precinct in this state on the Tuesday ~~succeeding~~**after** the

1 first Monday in ~~August preceding~~ **June before** every general November
 2 election, at which time the qualified and registered voters may
 3 vote for nonpartisan candidates for the office of judge of the
 4 court of appeals, judge of the circuit court, judge of probate, and
 5 for circuit court commissioner in the years ~~in which such~~ **that**
 6 **those** officers are to be elected.

7 Sec. 551. ~~Until December 31, 2013, the secretary of state and~~
 8 ~~the various county, township, and city clerks shall receive~~
 9 ~~nominating petitions or filing fees filed under this act up to 4~~
 10 ~~p.m., eastern standard time, of the twelfth Tuesday before the~~
 11 ~~August primary. Beginning January 1, 2014, the~~ **The** secretary of
 12 state and the various county, township, and city clerks shall
 13 receive nominating petitions or filing fees filed under this act up
 14 to 4 p.m. ~~, eastern standard time,~~ of the fifteenth Tuesday before
 15 the ~~August~~ **June** primary. The provisions of this section do not
 16 apply to a city that does not nominate its officers under the
 17 provisions of this act.

18 Sec. 559. It ~~shall be~~ **is** the duty of the board of election
 19 commissioners of each county in this state to prepare and furnish
 20 the necessary official primary election ballots, except for city
 21 offices, ~~which~~ **that** may be required for use by the electors of any
 22 political party at the ~~August~~ **June** primary.

23 Sec. 591. ~~(1) Except as provided in subsection (2) and section~~
 24 532, the state convention of all political parties for the
 25 nomination of candidates for state offices in the even numbered
 26 years ~~shall~~ **must** commence not less than 60 days before the general
 27 November election. The date, time, and location of the state
 28 convention ~~shall~~ **must** be designated by the state central committees
 29 of the various political parties in their call for a state

1 convention. The calls ~~shall~~**must** be issued at least 60 days before
2 the ~~August~~**June** primaries.

3 ~~(2) In 2012 only, the state convention of all political~~
4 ~~parties for the nomination of candidates for state offices shall~~
5 ~~commence not less than 58 days before the general November~~
6 ~~election. The date, time, and location of the state convention~~
7 ~~shall be designated by the state central committees of the various~~
8 ~~political parties in their call for a state convention. The calls~~
9 ~~shall be issued at least 60 days before the August primaries.~~

10 Sec. 592. (1) Except as provided in section 532, the county
11 conventions of all political parties for the election of delegates
12 to a state convention for the nomination of state officers in the
13 even numbered years ~~shall~~**must** be held not less than 8 days nor
14 more than 25 days after the ~~August~~**June** primaries.

15 (2) All county conventions of a political party ~~shall~~**must** be
16 held on the same day throughout ~~the~~**this** state. The date ~~shall~~**must**
17 be designated by the state central committee of a political party
18 in its call for the state convention. The place and hour of meeting
19 of a county convention ~~shall~~**must** be designated in the call issued
20 by the county committee of the political party in the county, which
21 call ~~shall~~**must** be issued not less than 45 days before the ~~August~~
22 ~~June~~**June** primaries. The number of delegates to the state convention ~~to~~
23 ~~which~~**that** the political party in the county is entitled ~~shall~~**to**
24 **must** be chosen at the county convention.

25 (3) In all counties having or ~~which~~**that** may hereafter have 2
26 or more congressional districts or parts of congressional districts
27 within the boundaries of the county, the congressional districts or
28 a part of a congressional district within the counties ~~shall~~**must**
29 each be considered a county within the provisions of this section

1 for the holding of the county conventions provided for in this
 2 section, and ~~shall~~**must** be in place of the county convention. The
 3 nominee for ~~congress~~**Congress** of the congressional district in the
 4 preceding primary election, the county chairperson, and the county
 5 secretary of the several political parties shall constitute a
 6 committee in each congressional district to name the temporary
 7 chairperson of the first district convention held under this act.
 8 Thereafter, the district chairperson shall act as temporary
 9 chairperson. The convention ~~shall~~**must** organize the same as county
 10 conventions and ~~shall~~**must** elect delegates to the state convention.
 11 The chairperson and secretary of the convention shall certify to
 12 the state central committee the names and addresses of the
 13 delegates elected, and, when certified, those delegates shall
 14 become the delegates from the district to the state convention.

15 Sec. 598. (1) The state central committee of each political
 16 party shall, at least 60 days before the ~~August~~**June** primary,
 17 forward by mail to the chairperson of each county committee of the
 18 political party a copy of the call for the fall state convention of
 19 the political party, showing the number of delegates ~~to which~~**that**
 20 each county is entitled **to** in the state convention of the political
 21 party. The state central committee shall apportion the delegates to
 22 the several counties in proportion to the number of votes cast for
 23 the candidate of the party for secretary of state in each county,
 24 respectively, at the last preceding November general election.

25 (2) In addition to the number of delegates allocated to each
 26 county under subsection (1), the state central committees shall
 27 allocate an additional number of delegates equal to the number of
 28 incumbent legislators nominated by their party and residing in the
 29 county.

1 Sec. 611. (1) In the year 1956, and each fourth year after
 2 1956, delegates of each political party who were elected to the
 3 last prior fall county convention shall reconvene in a county
 4 convention. The county conventions, when so convened, ~~shall~~**must**
 5 elect delegates to a state convention. The number of delegates
 6 elected ~~shall~~**must** be the same as the number elected to the last
 7 prior spring state convention. The county conventions ~~shall~~**must** be
 8 held at least 90 days ~~prior to~~**before** the time set for the holding
 9 of the national convention of its political party. All county
 10 conventions ~~shall~~**must** be held on the same day and time. The time
 11 and place ~~shall~~**must** be fixed by the state central committee. A
 12 state convention composed of delegates elected by the respective
 13 county conventions ~~shall~~**must** be held in the year 1956, and each
 14 fourth year after 1956, at least 60 days before the holding of the
 15 national convention of its political party.

16 (2) As used in this section:

17 (a) "Delegates of each political party who were elected to the
 18 last prior fall county convention" means precinct delegates elected
 19 at the last prior ~~August~~ primary election, persons nominated as
 20 candidates for county offices and state legislative offices who are
 21 delegates at large to county conventions under section 599(5), and
 22 delegates elected under section 622 or 624d to fill a precinct
 23 delegate vacancy for the balance of an unexpired term.

24 (b) "Persons nominated as candidates for county offices and
 25 state legislative offices who are delegates at large to county
 26 conventions under section 599(5)" means incumbent county officials,
 27 incumbent state legislators, and unsuccessful candidates for county
 28 offices and state legislative offices who are candidates at the
 29 last prior regular or special election held for the respective

1 office.

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

4 Sec. 623a. (1) On or before ~~April~~**February** 1 in even numbered
5 years, the chairperson of the county committee or district
6 committee of a congressional district or a part of a congressional
7 district considered a county under section 592 of each political
8 party shall forward by mail or otherwise deliver to the board of
9 election commissioners in that county a certificate showing the
10 number of delegates to the county convention to which each precinct
11 of the county is entitled. The chairperson of the state central
12 committee of a political party shall notify the chairperson of the
13 county committee or district committee of a congressional district
14 or a part of a congressional district considered a county under
15 section 592 of that political party no later than ~~March~~**January** 1
16 in even numbered years that the certificate required by this
17 subsection is to be delivered to the board of election
18 commissioners on or before ~~April~~**February** 1 of that year.

19 (2) If the chairperson fails to forward the certificate
20 required by subsection (1) by the day specified, the board of
21 election commissioners shall immediately determine the number of
22 delegates to the county convention that each precinct should elect
23 for ~~the implementation of~~**implementing** this act.

24 (3) The allotment of delegates to all precincts in ~~the~~**this**
25 state ~~shall~~**must** be made to ~~insure,~~**ensure**, as near as is
26 practicable, equal apportionment based upon the total vote cast for
27 the candidate of each political party for either ~~president~~
28 **President** of the United States or secretary of state at the last
29 general November election when elections for those offices were

1 held, whichever is later. However, each precinct ~~shall~~**must** have at
2 least 1 delegate.

3 (4) The apportionment ~~shall~~**must** be based on the precincts as
4 they exist 180 days before the ~~August~~**June** primary election in even
5 numbered years.

6 (5) As many delegates in each precinct as a political party is
7 entitled to according to the certificate authorized by the
8 chairperson of the county committee or the board of election
9 commissioners ~~shall~~**must** be elected at the ~~August~~**June** primary in
10 even numbered years by direct vote of the registered electors of
11 each political party in the county.

12 Sec. 641. (1) Except as otherwise provided in this section, an
13 election held under this act ~~shall~~**must** be held on 1 of the
14 following regular election dates:

15 ~~(a) The May regular election date, which is the first Tuesday~~
16 ~~after the first Monday in May.~~

17 **(a)** ~~(b)~~ The ~~August~~**June** regular election date, which is the
18 first Tuesday after the first Monday in ~~August~~**June**.

19 **(b)** ~~(c)~~ The November regular election date, which is the first
20 Tuesday after the first Monday in November.

21 **(c)** ~~(d)~~ In each presidential election year when a statewide
22 presidential primary election is held, the date of the statewide
23 presidential primary election as provided in section 613a.

24 (2) If an elective office is listed by name in section 643,
25 requiring the election for that office to be held at the general
26 election, and if candidates for the office are nominated at a
27 primary election, the primary election ~~shall~~**must** be held on the
28 ~~August~~**June** regular election date.

29 (3) Except as otherwise provided in this subsection and

1 subsection (4), a special election ~~shall~~**must** be held on a regular
2 election date. A special election called by the governor under
3 section 145, 178, 632, 633, or 634 to fill a vacancy or called by
4 the legislature to submit a proposed constitutional amendment as
5 authorized in section 1 of article XII of the state constitution of
6 1963 may, but is not required to be, held on a regular election
7 date.

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

1 election called by a school district under this subsection ~~shall~~
 2 **must** not be held within 30 days before or 35 days after a regular
 3 election date as provided in subsection (1). A school district may
 4 only call 1 special election ~~pursuant to~~ **under** this subsection in
 5 each calendar year.

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

8 (6) This section shall be known and may be cited as the
 9 "Hammerstrom election consolidation law".

10 Sec. 642. (1) Except as otherwise provided in this section and
 11 section 642a, beginning on September 1, 2004, a city shall hold its
 12 regular election or regular primary election as follows:

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

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

17 (c) A city that holds its regular election for a city office
 18 annually or in the even year on the November regular election date
 19 shall continue holding elections on that schedule.

20 (d) A city that holds its regular election primary for a city
 21 office annually or in the even year on the August regular primary
 22 election date shall continue holding primary elections on that
 23 schedule.

24 (2) If, on September 1, 2004, a city holds its regular
 25 election at other than a regular November election date, the city
 26 council may choose to hold the regular election on the May regular
 27 election date by adopting a resolution in compliance with this
 28 section. Except as provided in section 642a, if a city council
 29 adopts the resolution in compliance with this section to hold its

1 regular election on the May regular election date, after December
2 31, 2004, the city's regular election is on the May regular
3 election date. If a city's regular election is held on the May
4 regular election date, the city shall not hold a regular primary
5 election.

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

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

28 (5) A village shall hold its regular election as follows:

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

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

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

4 (6) If a village's special election is held in conjunction
5 with another election conducted by a township, the village shall
6 pay the township a proportionate share of the election expenses. If
7 a village's special election is not held in conjunction with
8 another election conducted by a township, the village shall pay the
9 township 100% of the actual costs of conducting the village's
10 special election.

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

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

15 (i) If the resolution is permitted under subsection (2), (3),
16 or (4), January 1, 2005.

17 (ii) If the resolution is permitted under section ~~642a(1), (2),~~
18 ~~or (4),~~ **642a(2) or (4)**, January 1 of the year in which the change
19 in the date of the election takes effect.

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

24 (c) The council gives notice of each public hearing on the
25 resolution in a manner designed to reach the largest number of the
26 jurisdiction's qualified electors in a timely fashion.

27 (d) The council votes on the resolution and, on a record roll
28 call vote, a majority of the council's board members, elected or
29 appointed, and serving, adopt the resolution.

1 (e) The council files the resolution with the secretary of
2 state.

3 Sec. 642a. (1) After December 31, 2004, ~~2020~~, a city council
4 that adopted a resolution so that its regular election is held on
5 the May regular election date ~~may change its regular election to~~
6 ~~the odd year general election by adopting a resolution in~~
7 ~~compliance with section 642. If a city council adopts the~~
8 ~~resolution in compliance with section 642 to hold its regular~~
9 ~~election at the odd year general election, after December 31 of the~~
10 ~~year in which the resolution is adopted, the city's regular~~
11 ~~election is at the odd year general election.~~ **shall hold its regular**
12 **election on the June regular election date.**

13 (2) After December 31, 2004, a city council that holds its
14 regular election for city offices annually or in the even year on
15 the November regular election date may change its regular election
16 schedule to the odd year general election and the odd year primary
17 election by adopting a resolution in compliance with section 642.
18 If a city council adopts the resolution in compliance with section
19 642, the city's regular election is at the odd year general
20 election and its primary is at the odd year primary election.

21 (3) After December 31, 2010, a city that adopted a resolution
22 so that its regular election primary is held at the September
23 election shall hold its regular election primary at the odd year
24 primary election.

25 (4) After December 31, 2011, a city that holds its regular
26 election for city offices annually or in the odd year on the
27 November regular election date may change its regular election
28 schedule to the even year general election and the even year
29 primary election by adopting a resolution in compliance with

1 section 642. If a city council adopts the resolution in compliance
 2 with section 642, after December 31 of the year in which the
 3 resolution is adopted, the city's regular election is at the even
 4 year general election and its primary is at the even year primary
 5 election.

6 (5) After December 31, 2012, a village that adopted a
 7 resolution so that its regular election is held at the September
 8 election shall hold its regular election at the general November
 9 election.

10 (6) **After December 31, 2020, a city that holds its regular**
 11 **election primary for a city office annually or in the even year on**
 12 **the August regular primary election date shall hold its regular**
 13 **election primary on the June regular primary election date.**

14 Sec. 686a. (1) If a political party entitled to a position on
 15 the ballot failed to have at least 1 candidate who polled at least
 16 5% of the total vote cast for all candidates for secretary of state
 17 at the last preceding election at which a secretary of state was
 18 elected, candidates for that political party shall be nominated as
 19 provided in section 532. County caucuses and state conventions for
 20 ~~such~~**these** political parties ~~shall~~**must** be held not later than the
 21 ~~August~~**June** primary.

22 (2) County caucuses may nominate candidates for the office of
 23 ~~representative~~**Representative** in ~~congress,~~**Congress**, state senator,
 24 and state representative if the offices represent districts
 25 contained wholly within the county, and for all county and township
 26 offices. Not more than 1 business day after the conclusion of the
 27 caucus, the names and mailing addresses of all candidates ~~se~~
 28 nominated and the offices for which they were nominated ~~shall~~**must**
 29 be certified by the chairperson and secretary of the caucus to the

1 county clerk. The certification ~~shall~~**must** be accompanied by an
 2 affidavit of identity for each candidate named in the certificate
 3 as provided in section 558 and a separate written certificate of
 4 acceptance of nomination signed by each candidate named on the
 5 certificate. The form of the certificate of acceptance ~~shall~~**must**
 6 be prescribed by the secretary of state. If a candidate is ~~se~~
 7 certified with the accompanying affidavit of identity and
 8 certificate of acceptance, the name of the candidate ~~shall~~**must** be
 9 printed on the ballot for that election. Candidates nominated and
 10 certified ~~shall~~**are** not ~~be~~ permitted to withdraw.

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

14 (4) The state convention ~~shall~~**must** be held at the time and
 15 place indicated in the call. The convention ~~shall~~**must** consist of
 16 delegates selected by the county caucuses. The convention may fill
 17 vacancies in a delegation from qualified electors of that county
 18 present at the convention. The convention may nominate candidates
 19 for all state offices. District candidates may be nominated at
 20 district caucuses held in conjunction with the state convention
 21 attended by qualified delegates of the district. If delegates of a
 22 district are not present, a district caucus ~~shall~~**must** not be held
 23 for that district and candidates ~~shall~~**must** not be nominated for
 24 that district. Not more than 1 business day after the conclusion of
 25 the convention, the names and mailing addresses of the candidates
 26 nominated for state or district offices ~~shall~~**must** be certified by
 27 the chairperson and secretary of the state convention to the
 28 secretary of state. The certification ~~shall~~**must** be accompanied by
 29 an affidavit of identity for each candidate named in the

1 certificate as provided in section 558 and a separate written
 2 certificate of acceptance of nomination signed by each candidate
 3 named on the certificate. The form of the certificate of acceptance
 4 shall ~~must~~ be prescribed by the secretary of state. The names of
 5 candidates ~~so~~ certified with accompanying affidavit of identity and
 6 certificate of acceptance shall ~~must~~ be printed on the ballot for
 7 the forthcoming election. Candidates ~~so~~ nominated and certified
 8 shall ~~are~~ not be permitted to withdraw.

9 Sec. 737a. (1) Except as otherwise provided in this section,
 10 the board of election inspectors shall not count a write-in vote
 11 for a ~~person~~ **an individual** unless that ~~person~~ **individual** has filed
 12 a declaration of intent to be a write-in candidate as provided in
 13 this section. The write-in candidate shall file the declaration of
 14 intent to be a write-in candidate with the filing official for that
 15 elective office on or before 4 p.m. on the second Friday
 16 immediately before the election. The secretary of state,
 17 immediately after the 4 p.m. filing deadline under this subsection,
 18 shall prepare and have delivered a list of all ~~persons~~ **individuals**
 19 who have filed a declaration of intent to be a write-in candidate
 20 under this subsection, if any, to the appropriate county clerks. A
 21 filing official other than the secretary of state who receives a
 22 declaration of intent to be a write-in candidate or list of ~~persons~~
 23 **individuals** who filed a declaration of intent from another filing
 24 official under this subsection shall prepare and have delivered a
 25 list of all ~~persons~~ **individuals** who have filed a declaration of
 26 intent to be a write-in candidate to the board of election
 27 inspectors in the appropriate precincts before the close of the
 28 polls on election day.

29 (2) If a candidate whose name is printed on the official

1 ballot for the election dies or is otherwise disqualified after 4
2 p.m. on the second Friday immediately before the election, the
3 requirement of filing a declaration of intent to be a write-in
4 candidate under subsection (1) does not apply to a write-in
5 candidate. If a death or disqualification has occurred as described
6 in this subsection, the board of election inspectors shall count
7 all write-in votes for write-in candidates for the office sought by
8 the deceased or disqualified candidate.

9 (3) Subsections (1) and (2) do not apply to a write-in
10 candidate for precinct delegate. The board of election inspectors
11 shall not count a write-in vote for a write-in candidate for
12 precinct delegate unless that candidate has filed a declaration of
13 intent to be a write-in candidate as provided in this subsection. A
14 write-in candidate for precinct delegate shall file a declaration
15 of intent to be a write-in candidate with the county clerk of the
16 county in which that precinct is located on or before 4 p.m. on the
17 Friday immediately before the election or with the board of
18 election inspectors in the appropriate precinct before the close of
19 the polls on election day. A county clerk who receives a
20 declaration of intent to be a write-in candidate from a write-in
21 candidate for precinct delegate under this subsection shall prepare
22 and have delivered a list of all ~~persons~~**individuals** who have filed
23 a declaration of intent to be a write-in candidate to the city and
24 township clerks for the appropriate precincts before election day.
25 A city or township clerk shall deliver a list of all ~~persons~~
26 **individuals** who have filed a declaration of intent to be a write-in
27 candidate for precinct delegate to the board of election inspectors
28 in the appropriate precincts before the close of the polls on
29 election day.

1 (4) The secretary of state shall prescribe forms for the
2 declaration of intent to be a write-in candidate. Clerks shall
3 maintain a supply of declaration of intent to be a write-in
4 candidate forms in the clerk's office and make the forms available
5 in the polling places during the ~~August~~**June** primary for this
6 purpose. The declaration of intent to be a write-in candidate form
7 must include all of the following information:

8 (a) The name of the ~~person~~**individual** intending to be a write-
9 in candidate.

10 (b) The elective office that the ~~person~~**individual** seeks as a
11 write-in candidate.

12 (c) The residence address of the ~~person~~**individual** seeking
13 elective office as a write-in candidate.

14 (d) Other information the secretary of state considers
15 appropriate.

16 Sec. 821. ~~(1) Except as provided in subsection (2), the~~**The**
17 board of county canvassers shall meet at the office of the county
18 clerk no later than 9 a.m. on the Thursday after any election held
19 in the county. The county clerk or the county clerk's staff shall
20 determine the meeting date and time for the board of county
21 canvassers.

22 ~~(2) If, at an election held on the May regular election date,~~
23 ~~a ballot question appears on the ballot concerning an authorized~~
24 ~~millage that is subject to a millage reduction as provided in~~
25 ~~section 34d of the general property tax act, 1893 PA 206, MCL~~
26 ~~211.34d, the board of county canvassers shall meet to canvass and~~
27 ~~certify the results of the vote on that proposition after May 31~~
28 ~~and before June 15 following the election.~~

29 Sec. 963. (1) Within 35 days after the filing of the recall

1 petition, the filing official with whom the recall petition is
2 filed shall make an official declaration of the sufficiency or
3 insufficiency of the recall petition. If the recall petition is
4 determined to be insufficient, the filing official shall notify the
5 person or organization sponsoring the recall of the insufficiency
6 of the recall petition. It is not necessary to give notification
7 unless the person or organization sponsoring the recall files with
8 the filing official a written notice of sponsorship and a mailing
9 address.

10 (2) If a recall petition is filed under section 960,
11 immediately upon determining that the recall petition is
12 sufficient, but not later than 35 days after the date of filing of
13 the recall petition, the county clerk with whom the recall petition
14 is filed shall call the recall election and proceed under sections
15 971c to 975. The recall election ~~shall~~**must** be held not less than
16 95 days after the date the recall petition is filed and ~~shall~~**must**
17 be held on the next ~~May~~**June** regular election date or the next
18 November regular election date, whichever occurs first.

19 (3) Except as otherwise provided in subsection (4), if a
20 recall petition is filed under section 959, the filing official
21 with whom the recall petition is filed shall call the recall
22 primary election and proceed under sections 970b to 970g. The
23 recall primary election ~~shall~~**must** be held on the next regular
24 election date that is not less than 95 days after the date the
25 recall petition is filed.

26 (4) If a recall petition is filed under section 959 demanding
27 the recall of the governor, the filing official with whom the
28 recall petition is filed shall call a special recall election and
29 proceed under sections 975c to 975g. The special recall election

1 ~~shall~~**must** be held not less than 95 days after the date the recall
2 petition is filed and ~~shall~~**must** be held on the next ~~May~~**June**
3 regular election date or the next ~~August~~**November** regular election
4 date, whichever occurs first.

5 Sec. 970e. Subject to section 970b, the candidate of each
6 political party receiving the greatest number of votes cast for
7 candidates at the recall primary election as set forth in the
8 report of the board of state canvassers, based on the returns from
9 the various election precincts, shall be declared the nominee of
10 that political party at the recall general election to be held on
11 the next ~~May~~**June** regular election date or the next ~~August~~**November**
12 regular election date, whichever occurs first. In addition, except
13 as otherwise provided in this section, a candidate without a
14 political party affiliation may qualify for the recall general
15 election by filing a qualifying petition with the officer with whom
16 the recall petitions were filed that contains 10% of the number of
17 signatures required under section 544f within 10 days after the
18 recall general election is scheduled. An individual who was an
19 unsuccessful candidate in the recall primary election may not
20 subsequently file a qualifying petition as a candidate without a
21 political party affiliation for the recall general election.