

# SENATE BILL NO. 1110

November 13, 2024, Introduced by Senators IRWIN and MOSS and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 482, 590h, 685, 957, and 958 (MCL 168.482, 168.590h, 168.685, 168.957, and 168.958), section 482 as amended by 2018 PA 608, sections 590h and 685 as amended by 2018 PA 650, and section 957 as amended by 2018 PA 120, and by adding sections 482f and 547; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1** Sec. 482. (1) Each petition under this section must be 8-1/2

1 inches by 14 inches in size.

2 (2) If the measure to be submitted proposes a constitutional  
3 amendment, initiation of legislation, or referendum of legislation,  
4 the heading of each part of the petition must be prepared in the  
5 following form and printed in capital letters in 14-point boldfaced  
6 type:

7 INITIATIVE PETITION  
8 AMENDMENT TO THE CONSTITUTION  
9 OR  
10 INITIATION OF LEGISLATION  
11 OR  
12 REFERENDUM OF LEGISLATION  
13 PROPOSED BY INITIATIVE PETITION

14 (3) A summary in not more than 100 words of the purpose of the  
15 proposed amendment or question proposed must follow and be printed  
16 in 12-point type. The full text of the amendment so proposed must  
17 follow the summary and be printed in 8-point type. If the proposal  
18 would alter or abrogate an existing provision of the constitution,  
19 the petition must so state and the provisions to be altered or  
20 abrogated must be inserted, preceded by the words:

21 "Provisions of existing constitution altered or abrogated by  
22 the proposal if adopted."

23 (4) The following statement must appear beneath the petition  
24 heading:

25 "We, the undersigned qualified and registered electors,

1 residents in the \_\_\_\_\_ ~~congressional district~~  
 2 **city township (strike 1) of \_\_\_\_\_, in the county of**  
 3 \_\_\_\_\_, in the state of Michigan, respectively  
 4 petition for (amendment to constitution) (initiation of  
 5 legislation) (referendum of legislation) (other appropriate  
 6 description).".

7 (5) The following warning must be printed in 12-point type  
 8 immediately above the place for signatures, on each part of the  
 9 petition:

10 WARNING

11 ~~A person~~ **An individual** who knowingly ~~signs this petition more~~  
 12 ~~than once,~~ signs a name other than ~~his or her~~ **the individual's** own  
 13 **name**, signs when not a qualified and registered elector, or sets  
 14 opposite ~~his or her~~ **the individual's** signature on a petition, a  
 15 date other than the actual date the signature was affixed, is  
 16 violating the provisions of the Michigan election law.

17 (6) Subject to subsections (7) and (8), the remainder of the  
 18 petition form must be as provided following the warning to electors  
 19 signing the petition in section 544c(1). In addition, the petition  
 20 must comply with the requirements of section 544c(2).

21 (7) Each petition under this section must provide at the top  
 22 of the page check boxes and statements printed in 12-point type to  
 23 clearly indicate whether the circulator of the petition is a paid  
 24 signature gatherer or a volunteer signature gatherer.

25 (8) Each petition under this section must clearly indicate  
 26 below the statement required under subsection (7) and be printed in  
 27 12-point type that if the petition circulator does not comply with  
 28 all of the requirements of this act for petition circulators, any  
 29 signature obtained by that petition circulator on that petition is

1 invalid and will not be counted.

2 **Sec. 482f. If a petition under section 482 contains the**  
3 **signature of the same elector 2 or more times, only the first valid**  
4 **signature of that elector shall be counted.**

5 **Sec. 547. If a nominating petition contains the signature of**  
6 **the same elector 2 or more times, only the first valid signature of**  
7 **that elector shall be counted.**

8 Sec. 590h. (1) A qualifying petition for a candidate without  
9 political party affiliation must be the same size and printed in  
10 the same type sizes as required in section 544c. The petition must  
11 be in the following form:

12 QUALIFYING PETITION

13 (CANDIDATE WITHOUT PARTY AFFILIATION)

14 We, the undersigned, registered and qualified ~~voters~~**electors** of  
15 the city or township of ....., in the county of .....,

16 (strike 1)

17 and state of Michigan, nominate .....,

18 (Name of Candidate)

19 .....,

20 (Street Address or R.R.)

(City or Township)

21 as a candidate without party affiliation for the office of

22 ..... in

23 (Title of Office and District)

24 order that the name of the candidate be placed without party

25 affiliation on the ballot for the election to be held on

26 the ..... day of ....., 20.... .

27

28 WARNING

29 Whoever knowingly signs more petitions for the same office

1 than there are ~~persons~~**individuals** to be elected to the office or  
2 signs a name other than ~~his or her~~**the individual's** own **name** is  
3 violating the Michigan election law.

4 (2) The balance of the qualifying petition form must be  
5 substantially as set forth in section 544c. A qualifying petition  
6 for a candidate without party affiliation must not contain a  
7 reference to a political party.

8 (3) An individual shall not knowingly sign more petitions for  
9 the same office than there are ~~persons~~**individuals** to be elected to  
10 the office. An individual who violates this subsection is guilty of  
11 a misdemeanor.

12 (4) An individual shall not do any of the following:

13 (a) Sign a qualifying petition with a name other than ~~his or~~  
14 ~~her~~**the individual's** own **name**.

15 (b) Make a false statement in a certificate on a qualifying  
16 petition.

17 (c) If not a circulator, sign a qualifying petition as a  
18 circulator.

19 (d) Sign a name as circulator other than ~~his or her~~**the**  
20 **individual's** own **name**.

21 (5) Except as otherwise provided in subsection (6), an  
22 individual who violates subsection (4) is guilty of a misdemeanor  
23 punishable by a fine of not more than \$500.00, ~~or~~ imprisonment for  
24 not more than 93 days, or both.

25 (6) An individual shall not sign a qualifying petition with  
26 multiple names. An individual who violates this subsection is  
27 guilty of a felony.

28 (7) If an individual signs a qualifying petition in violation  
29 of this section, any signature by that individual on the petition

1 is invalid and must not be counted.

2 **(8) If a qualifying petition for a candidate without political**  
3 **party affiliation contains the signature of the same elector 2 or**  
4 **more times, only the first valid signature of that elector shall be**  
5 **counted.**

6 Sec. 685. (1) The name of a candidate of a new political party  
7 must not be printed ~~upon~~ on the official ballots of an election  
8 unless the chairperson and secretary of the state central committee  
9 of the party files with the secretary of state, not later than 4  
10 p.m. of the one hundred-tenth day before the general November  
11 election, a certificate signed by the chairperson and secretary of  
12 the state central committee bearing the name of the party, together  
13 with petitions bearing the signatures of registered and qualified  
14 electors equal to not less than 1% of the total number of votes  
15 cast for all candidates for governor at the last election in which  
16 a governor was elected. The petitions must be signed by at least  
17 100 registered electors in each of at least 1/2 of the  
18 congressional districts of this state. All signatures on the  
19 petitions must be obtained not more than 180 days immediately  
20 before the date of filing.

21 (2) After the date on which a petition is filed, the secretary  
22 of state shall not accept additional petition sheets for that  
23 petition. The validity and authenticity of the signatures may be  
24 determined in the same manner as provided for initiative and  
25 referendum petitions in section 9 of article II of the state  
26 constitution of 1963. An official declaration of the sufficiency or  
27 insufficiency of a petition filed under this section must be made  
28 by the board of state canvassers not later than 60 days before the  
29 general November election.

1 (3) The petitions must be in substantially the following form:

2 PETITION TO FORM NEW POLITICAL PARTY

3 We, the undersigned, duly registered electors of the  
4 city, township of ..... county of .....

5 (strike one)

6 state of Michigan, residing at the places set opposite our  
7 names, respectfully request the secretary of state, in  
8 accordance with section 685 of the Michigan election law,  
9 1954 PA 116, MCL 168.685, to place the names of the  
10 candidates of the ..... party on the  
11 ballot at the ..... election.

12 Warning: ~~A person~~ **An individual** who knowingly signs petitions  
13 to organize more than 1 new state political party, ~~signs a~~  
14 ~~petition to organize a new state political party more than once,~~ or  
15 signs a name other than ~~his or her~~ **the individual's** own **name** is  
16 violating the provisions of the Michigan election law.

17 .....  
18 .....  
19 .....

20 (4) The balance of the petition form must be substantially as  
21 set forth in section 544c. The size of all organizing petitions  
22 must be 8-1/2 inches by 13 inches and must be printed in the  
23 following type sizes: The words "petition to form new political  
24 party" and the name of the proposed political party must be in 24-  
25 point boldface type; the word "warning" and the language contained  
26 in the warning must be in 12-point boldface type.

27 (5) Petitions circulated under this section may be circulated  
28 on a countywide basis. A petition that is circulated countywide  
29 must be on a form prescribed by the secretary of state.

1           (6) If the principal candidate of a political party receives a  
2 vote equal to less than 1% of the total number of votes cast for  
3 the successful candidate for the office of secretary of state at  
4 the last preceding general November election in which a secretary  
5 of state was elected, that political party shall not have the name  
6 of any candidate printed on the ballots at the next ensuing general  
7 November election, and a column must not be provided on the ballots  
8 for that party. A disqualified party may again qualify and have the  
9 names of its candidates printed in a separate party column on each  
10 election ballot in the manner set forth in subsection (1) for the  
11 qualification of new parties. As used in this subsection,  
12 "principal candidate of a political party" means the candidate who  
13 receives the greatest number of votes of all candidates of that  
14 political party for that election.

15           (7) A political party that complied with this section is  
16 subject to section 686a in order to have the name of that party and  
17 its candidates appear on the general election ballot.

18           (8) An individual shall not knowingly sign a petition to  
19 organize more than 1 new state political party. ~~or sign a petition~~  
20 ~~to organize a new state political party more than once.~~ An  
21 individual who violates this subsection is guilty of a misdemeanor.

22           (9) An individual shall not do any of the following:

23           (a) Sign a petition to form a new political party with a name  
24 other than ~~his or her~~ **the individual's own name**.

25           (b) Make a false statement in a certificate on a petition to  
26 form a new political party.

27           (c) If not a circulator, sign a petition to form a new  
28 political party as a circulator.

29           (d) Sign a name as circulator other than ~~his or her~~ **the**



1 **individual's own name.**

2 (10) Except as otherwise provided in subsection (11), an  
3 individual who violates subsection (9) is guilty of a misdemeanor  
4 punishable by a fine of not more than \$500.00, ~~or~~ imprisonment for  
5 not more than 93 days, or both.

6 (11) An individual shall not sign a petition to form a new  
7 political party with multiple names. An individual who violates  
8 this subsection is guilty of a felony.

9 (12) If an individual signs a petition to form a new political  
10 party in violation of this section, any signature by that  
11 individual on the petition is invalid and must not be counted.

12 **(13) If a petition to form a new state political party**  
13 **contains the signature of the same elector 2 or more times, only**  
14 **the first valid signature of that elector shall be counted.**

15 Sec. 957. (1) ~~A person~~**An individual** circulating a recall  
16 petition ~~shall~~**must** state in the certificate of circulator ~~his or~~  
17 ~~her~~**the individual's** residence address and that ~~he or she~~**the**  
18 **individual** is 18 years of age or older and a United States citizen.  
19 In addition, the certificate of circulator must indicate all of the  
20 following:

21 (a) That signatures appearing ~~upon~~**on** the recall petition were  
22 not obtained through fraud, deceit, or misrepresentation. ~~and that~~  
23 ~~he or she has neither caused nor permitted a person to sign the~~  
24 ~~recall petition more than once and has no knowledge of a person~~  
25 ~~signing the recall petition more than once.~~

26 (b) That all signatures to the recall petition were affixed in  
27 ~~his or her~~**the individual's** presence.

28 (c) That, to the best of ~~his or her~~**the individual's**  
29 knowledge, information, and belief, the signers of the recall

1 petition are qualified and registered electors and the signatures  
 2 appearing on the recall petition are the genuine signatures of the  
 3 ~~persons~~**individuals** signing the recall petition.

4 (2) ~~A person~~**An individual** who knowingly makes a false  
 5 statement in the certificate of circulator is guilty of a  
 6 misdemeanor.

7 Sec. 958. **(1)** A **recall** petition sheet ~~shall~~**must** contain only  
 8 the signatures of qualified and registered electors of the city or  
 9 township listed in its heading.

10 **(2)** For recall of a village officer, the **recall** petition ~~shall~~  
 11 **must** be signed by qualified and registered electors of the village.

12 **(3)** A qualified and registered elector may sign the **recall**  
 13 petition sheet in any location at which the **recall** petition sheet  
 14 is available.

15 **(4)** A **recall** petition is not invalid if ~~it~~**the recall petition**  
 16 contains the signature of ~~a person~~**an individual** who is not a  
 17 qualified and registered elector of the appropriate city, township,  
 18 or village listed in the heading of that **recall** petition sheet.

19 **(5)** **If a recall petition contains the signature of the same**  
 20 **elector 2 or more times, only the first valid signature of that**  
 21 **elector shall be counted.**

22 Enacting section 1. Section 547a of the Michigan election law,  
 23 1954 PA 116, MCL 168.547a, is repealed.

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