

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4530**

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, 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, 168.686a, 168.737a, 168.821, 168.963,
and 168.970e), section 3 as amended by 2018 PA 603, sections 53,
93, 133, and 551 as amended by 2012 PA 276, section 163 as amended
by 2021 PA 144, sections 193 and 254 as amended by 2021 PA 146,



section 322 as amended by 2015 PA 103, section 349 as amended by 2021 PA 147, section 370 as amended by 2022 PA 104, sections 433 and 467a as amended by 2018 PA 120, 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 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.

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

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

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

19 (k) "Regular election" means an election held on a regular



1 election date to elect an individual to, or nominate an individual
2 for, elective office in the regular course of the terms of that
3 elective office.

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

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

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

15 Sec. 53. To obtain the printing of the name of ~~a person~~**an**
16 **individual** as a candidate for nomination by a political party for
17 the office of governor under a particular party heading ~~upon~~**on** the
18 official primary ballots, there ~~shall~~**must** be filed with the
19 secretary of state nominating petitions signed by a number of
20 qualified and registered electors residing in this state as
21 determined under section 544f. Nominating petitions ~~shall~~**must** be
22 signed by at least 100 registered resident electors in each of at
23 least 1/2 of the congressional districts of ~~the~~**this** state.
24 Nominating petitions ~~shall~~**must** be in the form as prescribed in
25 section 544c. ~~Until December 31, 2013, nominating petitions shall~~
26 ~~be received by the secretary of state for filing in accordance with~~
27 ~~this act up to 4 p.m. of the twelfth Tuesday before the August~~
28 ~~primary. Beginning January 1, 2014, nominating~~ **Nominating** petitions
29 ~~shall~~**must** be received by the secretary of state for filing in



1 accordance with this act up to 4 p.m. of the fifteenth Tuesday
2 before the ~~August~~ **June** primary.

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

15 Sec. 93. In order for the name of ~~a person~~ **an individual** as a
16 candidate for nomination by a political party for the office of
17 United States ~~senator~~ **Senator** to appear under a particular party
18 heading on the official primary ballot, a nominating petition shall
19 **must** be filed with the secretary of state. The nominating petition
20 shall ~~must~~ have been signed by a number of qualified and registered
21 electors residing within this state as determined under section
22 544f. The nominating petition shall ~~must~~ be signed by at least 100
23 qualified and registered electors in each of at least 1/2 of the
24 congressional districts of this state. Nominating petitions shall
25 **must** be in the form as prescribed in section 544c. ~~Until December~~
26 ~~31, 2013, the nominating petition shall be filed with the secretary~~
27 ~~of state no later than 4 p.m. of the twelfth Tuesday before the~~
28 ~~August primary. Beginning January 1, 2014, the~~ **The** nominating
29 petition shall ~~must~~ be filed with the secretary of state no later



1 than 4 p.m. of the fifteenth Tuesday before the ~~August~~**June**
 2 primary.

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

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



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

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

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



1 filing in accordance with this act up to 4 p.m. of the fifteenth
2 Tuesday before the ~~August~~**June** primary.

3 (2) ~~In lieu~~**Instead** of filing a nominating petition, a
4 nonrefundable filing fee of \$100.00 may be paid to the county clerk
5 or, for a candidate in a district comprising more than 1 county, to
6 the secretary of state. Payment of the fee and certification of the
7 name of the candidate paying the fee are governed by the same
8 provisions as in the case of nominating petitions. The fee must be
9 deposited in the general fund of the candidate's county of
10 residence and must be used only for the purchase and maintenance of
11 voting equipment.

12 Sec. 192. A general primary election of all political parties
13 ~~shall~~**must** be held in every county of this state on the Tuesday
14 ~~succeeding~~**after** the first Monday in ~~August~~**preceding** ~~June~~**before**
15 the general November election at which the officers named in
16 section 191 ~~of this act~~ are to be elected, at which time the
17 qualified and registered electors of each political party may vote
18 for party candidates for the offices. This section ~~shall~~**does** not
19 apply to parties required to nominate candidates at caucuses or
20 conventions.

21 Sec. 193. (1) To obtain the printing of the name of an
22 individual as a candidate for nomination by a political party for
23 an office named in section 191 under a particular party heading
24 ~~upon~~**on** the official primary ballots, there must be filed with the
25 county clerk nominating petitions signed by a number of qualified
26 and registered electors residing within the county as determined
27 under section 544f. Nominating petitions must be in the form
28 prescribed in section 544c. The county clerk shall receive
29 nominating petitions up to 4 p.m. of the fifteenth Tuesday before



1 the ~~August~~-**June** primary.

2 (2) To obtain the printing of the name of a candidate of a
3 political party under the particular party's heading upon the
4 primary election ballots in the various voting precincts of the
5 county, ~~there may be filed by the candidate, in lieu~~ **the candidate**
6 **may file, instead** of filing nomination petitions, a nonrefundable
7 filing fee of \$100.00 to be paid to the county clerk. Payment of
8 the fee and certification of the candidate's name paying the fee
9 are governed by the same provisions as in the case of nominating
10 petitions. The fee must be deposited in the general fund of the
11 county and must be used only for the purchase and maintenance of
12 voting equipment.

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

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



1 (2) To obtain the printing of the name of a candidate of a
 2 political party under the particular party's heading upon the
 3 primary election ballots in the various voting precincts of the
 4 county, ~~there may be filed by each candidate, in lieu the candidate~~
 5 **may file, instead** of filing nominating petitions, a nonrefundable
 6 filing fee of \$100.00 to be paid to the county clerk. Payment of
 7 the fee and certification of the name of the candidate paying the
 8 fee are governed by the same provisions as in the case of
 9 nominating petitions. The fee must be deposited in the general fund
 10 of the county and must be used only for the purchase and
 11 maintenance of voting equipment.

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

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

22 Sec. 349. (1) To obtain the printing of the name of an
 23 individual as a candidate for nomination by a political party for a
 24 township office under the particular party heading ~~upon~~**on** the
 25 official primary ballots, there must be filed with the township
 26 clerk nominating petitions signed by a number of qualified and
 27 registered electors residing within the township as determined
 28 under section 544f. Nominating petitions must be in the form
 29 prescribed in section 544c. The township clerk shall receive



1 nominating petitions up to 4 p.m. of the fifteenth Tuesday before
2 the ~~August~~ **June** primary.

3 (2) To obtain the printing of the name of a candidate of a
4 political party under the particular party's heading upon the
5 primary election ballots in the various voting precincts of the
6 township, ~~there may be filed by the candidate, in lieu the~~
7 **candidate may file, instead** of filing nominating petitions, a
8 nonrefundable filing fee of \$100.00 to be paid to the township
9 clerk. Payment of the fee and certification of the candidate's name
10 paying the fee are governed by the same provisions as in the case
11 of nominating petitions. The fee must be deposited in the general
12 fund of the township and must be used only for the purchase and
13 maintenance of voting equipment.

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

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

24 (2) If 1 or more vacancies occur in an elective township
25 office that cause the number of members serving on the township
26 board to be less than the minimum number of board members that is
27 required to constitute a quorum for the transaction of business by
28 the board, the board of county election commissioners shall make
29 temporary appointment of the number of members required to



1 constitute a quorum for the transaction of business by the township
2 board. An official appointed under this subsection shall hold the
3 office only until the official's successor is elected or appointed
4 and qualified. An official who is temporarily appointed under this
5 subsection shall not vote on the appointment of ~~himself or herself~~
6 **that official** to an elective or appointive township office.

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

15 (4) Except as provided in subsection (5), if the township
16 board does not make an appointment under subsection (3), or if a
17 vacancy occurs in an elective township office and the vacancy is
18 not filled by the township board or the board of county election
19 commissioners within 45 days after the beginning of the vacancy,
20 the county clerk of the county in which the township is located
21 shall call a special election within 5 calendar days to fill the
22 vacancy. Not later than 4 p.m. on the fifteenth calendar day after
23 the county clerk calls a special election under this section, the
24 county party committee for each political party in the county in
25 which the township is located shall submit a nominee to fill the
26 vacancy. The special election must be held on the next regular
27 election date that is not less than 60 days after the deadline for
28 submitting nominees under this section or 70 days after the
29 deadline for submitting nominees under this section if the next



1 regular election date is the even year ~~August~~**June** primary or the
 2 general November election. Notice of the special election must be
 3 given in the same manner required by section 653a. A special
 4 election called under this section does not affect the rights of a
 5 qualified elector to register for any other election. An individual
 6 elected to fill a vacancy shall serve for the remainder of the
 7 unexpired term.

8 (5) Subsection (4) does not apply to the office of township
 9 constable. If a vacancy occurs in the office of township constable,
 10 the township board shall determine if and when the vacancy is
 11 filled by appointment. If the township board does not fill the
 12 vacancy by appointment, the office of township constable ~~must~~
 13 ~~remain~~**remains** vacant until the next general or special election in
 14 which township offices are filled.

15 Sec. 409a. A general nonpartisan primary election ~~shall~~**must**
 16 be held in every appellate court district of this state on the
 17 Tuesday ~~succeeding~~**after** the first Monday in ~~August~~**preceding**~~June~~
 18 **before** every general November election in which judges of the court
 19 of appeals are to be elected, at which time the qualified and
 20 registered electors may vote for nonpartisan candidates for the
 21 office of judge of the court of appeals. ~~Provided, however, That~~
 22 ~~if,~~**If**, upon expiration of the time for filing petitions for the
 23 primary election of ~~said~~**the** judge of the court of appeals in any
 24 appellate court district, it ~~shall appear~~**appears** that there are
 25 not to exceed twice the number of candidates as there are ~~persons~~
 26 **individuals** to be elected, then the secretary of state shall
 27 certify to the county board or boards of election commissioners the
 28 names of ~~such~~**the** candidates for court of appeals judge whose
 29 nominating petitions, filing fee, or affidavit of candidacy have



1 been properly filed, and ~~such~~**those** candidates shall be the
 2 nominees for judge of the court of appeals and shall be so
 3 certified. As to ~~such~~**that** office, there ~~shall~~**must not** be ~~no~~**a**
 4 primary election and this office ~~shall~~**must** be omitted from the
 5 judicial primary ballot.

6 Sec. 412. A general nonpartisan primary election ~~shall~~**must** be
 7 held in every county of this state on the Tuesday ~~succeeding~~**after**
 8 the first Monday in ~~August~~**June before** the general
 9 election at which judges of the circuit court are elected, at which
 10 time the qualified and registered electors may vote for nonpartisan
 11 candidates for the office of judge of the circuit court. If, upon
 12 the expiration of the time for filing petitions or incumbency
 13 affidavits of candidacy for the primary election of ~~said~~**the** judge
 14 of the circuit court in any judicial circuit, it ~~shall~~**appear**
 15 **appears** that there are not to exceed twice the number of candidates
 16 as there are ~~persons~~**individuals** to be elected, then the secretary
 17 of state shall certify to the county board of election
 18 commissioners the name of ~~such~~**the** candidate for circuit court
 19 judge whose petitions or affidavits have been properly filed, and
 20 ~~such~~**the** candidate shall be the nominee for the judge of the
 21 circuit court and shall be so certified. As to ~~such~~**that** office,
 22 there ~~shall~~**must not** be ~~no~~**a** primary election and this office ~~shall~~
 23 **must** be omitted from the judicial primary ballot.

24 Sec. 432. A general nonpartisan primary election ~~shall~~**must** be
 25 held in every county of this state on the Tuesday ~~succeeding~~**after**
 26 the first Monday in ~~August~~**June before** every general
 27 November election at which judges of probate are to be elected, at
 28 which time the qualified and registered electors may vote for
 29 nonpartisan candidates for the office of judge of probate. If, upon



1 the expiration of the time for filing petitions or incumbency
 2 affidavits of candidacy for the primary election of ~~said the~~
 3 probate judges in any county, it ~~shall appear~~ **appears** that there
 4 are not to exceed twice the number of candidates as there are
 5 ~~persons~~ **individuals** to be elected, then the county clerk shall
 6 certify to the county board of election commissioners the name of
 7 ~~such the~~ candidate for probate judge whose petitions have been
 8 properly filed, and ~~such the~~ candidate shall be the nominee for the
 9 judge of probate and shall be so certified. As to ~~such that~~ office,
 10 there ~~shall~~ **must not** be ~~ne a~~ primary election and this office ~~shall~~
 11 **must** be omitted from the judicial primary ballot.

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



1 receive nominating petitions up to 4 p.m. on the fifteenth Tuesday
 2 before the ~~August~~ **June** primary. The provisions of sections 544a and
 3 544b apply.

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

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

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

11 (c) A new judgeship.

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

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

23 (5) The secretary of state shall issue an office designation
 24 of incumbent position for any judgeship for which the incumbent
 25 judge is eligible to seek reelection. If an incumbent judge does
 26 not file an affidavit of candidacy by the deadline, the secretary
 27 of state shall notify all candidates for that office that a
 28 nonincumbent position exists. All nominating petitions circulated
 29 for the nonincumbent position after the deadline 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 probate receives incorrect or inaccurate written information from
 6 the county clerk or, in the case of a probate court district, the
 7 secretary of state concerning the number of nominating petition
 8 signatures required under section 544f and that incorrect or
 9 inaccurate written information is published or distributed by the
 10 county clerk or, in the case of a probate court district, the
 11 secretary of state, the candidate may bring an action in a court of
 12 competent jurisdiction for equitable relief. A court may grant
 13 equitable relief to a candidate under this subsection if all of the
 14 following occur:

15 (a) The candidate brings the action for equitable relief
 16 within 6 days after the candidate is notified by the county clerk
 17 or, in the case of a probate court district, the secretary of state
 18 that the candidate's nominating petition contains insufficient
 19 signatures.

20 (b) The candidate files an affidavit certifying that ~~he or she~~
 21 **the candidate** contacted and received from the county clerk or, in
 22 the case of a probate court district, the secretary of state
 23 incorrect or inaccurate written information concerning the number
 24 of nominating petition signatures required under section 544f.

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



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

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

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

17 Sec. 467a. A general nonpartisan primary election must be held
18 in every district and election division of this state on the
19 Tuesday after the first Monday in ~~August~~**June** before the general
20 election at which judges of the district court are elected, at
21 which time the qualified and registered electors may vote for
22 nonpartisan candidates for judge of the district court. If upon the
23 expiration of the time for filing petitions of candidacy for the
24 primary election of the judge of the district court in any district
25 or election division, it appears that there are not to exceed twice
26 the number of candidates as there are ~~persons~~**individuals** to be
27 elected, the secretary of state shall certify to the county board
28 of election commissioners the name of those candidates for district
29 court judge whose petitions or affidavits of candidacy have been



1 properly filed and those candidates are the nominees for the judge
 2 of the district court and must be so certified. As to that office,
 3 there must not be a primary election and this office must be
 4 omitted from the judicial primary ballot.

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

19 Sec. 535. A general primary ~~shall~~ **must** be held in every
 20 election precinct in this state on the Tuesday ~~succeeding~~ **after** the
 21 first Monday in ~~August~~ **June** ~~before~~ every general November
 22 election, at which time the qualified and registered voters may
 23 vote for nonpartisan candidates for the office of judge of the
 24 court of appeals, judge of the circuit court, judge of probate, and
 25 for circuit court commissioner in the years ~~in which such~~ **that**
 26 **those** officers are to be elected.

27 Sec. 551. ~~Until December 31, 2013, the secretary of state and~~
 28 ~~the various county, township, and city clerks shall receive~~
 29 ~~nominating petitions or filing fees filed under this act up to 4~~



1 ~~p.m., eastern standard time, of the twelfth Tuesday before the~~
 2 ~~August primary. Beginning January 1, 2014, the~~ **The** secretary of
 3 state and the various county, township, and city clerks shall
 4 receive nominating petitions or filing fees filed under this act up
 5 to 4 p.m. ~~, eastern standard time, of the fifteenth Tuesday before~~
 6 the ~~August~~ **June** primary. The provisions of this section do not
 7 apply to a city that does not nominate its officers under the
 8 provisions of this act.

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

14 Sec. 591. ~~(1) Except as provided in subsection (2) and section~~
 15 532, the state convention of all political parties for the
 16 nomination of candidates for state offices in the even numbered
 17 years ~~shall~~ **must** commence not less than 60 days before the general
 18 November election. The date, time, and location of the state
 19 convention ~~shall~~ **must** be designated by the state central committees
 20 of the various political parties in their call for a state
 21 convention. The calls ~~shall~~ **must** be issued at least 60 days before
 22 the ~~August~~ **June** primaries.

23 ~~(2) In 2012 only, the state convention of all political~~
 24 ~~parties for the nomination of candidates for state offices shall~~
 25 ~~commence not less than 58 days before the general November~~
 26 ~~election. The date, time, and location of the state convention~~
 27 ~~shall be designated by the state central committees of the various~~
 28 ~~political parties in their call for a state convention. The calls~~
 29 ~~shall be issued at least 60 days before the August primaries.~~



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

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

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



1 conventions and ~~shall~~**must** elect delegates to the state convention.
 2 The chairperson and secretary of the convention shall certify to
 3 the state central committee the names and addresses of the
 4 delegates elected, and, when certified, those delegates shall
 5 become the delegates from the district to the state convention.

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

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

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



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

7 (2) As used in this section:

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

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

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

24 Sec. 623a. (1) On or before ~~April~~**February** 1 in even numbered
 25 years, the chairperson of the county committee or district
 26 committee of a congressional district or a part of a congressional
 27 district considered a county under section 592 of each political
 28 party shall forward by mail or otherwise deliver to the board of
 29 election commissioners in that county a certificate showing the



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

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

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

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

26 (5) As many delegates in each precinct as a political party is
 27 entitled to according to the certificate authorized by the
 28 chairperson of the county committee or the board of election
 29 commissioners ~~shall~~**must** be elected at the ~~August~~**June** primary in



1 even numbered years by direct vote of the registered electors of
2 each political party in the county.

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

11 (2) County caucuses may nominate candidates for the office of
12 ~~representative~~**Representative** in ~~congress~~**Congress**, state senator,
13 and state representative if the offices represent districts
14 contained wholly within the county, and for all county and township
15 offices. Not more than 1 business day after the conclusion of the
16 caucus, the names and mailing addresses of all candidates ~~se~~
17 nominated and the offices for which they were nominated ~~shall~~**must**
18 be certified by the chairperson and secretary of the caucus to the
19 county clerk. The certification ~~shall~~**must** be accompanied by an
20 affidavit of identity for each candidate named in the certificate
21 as provided in section 558 and a separate written certificate of
22 acceptance of nomination signed by each candidate named on the
23 certificate. The form of the certificate of acceptance ~~shall~~**must**
24 be prescribed by the secretary of state. If a candidate is ~~se~~
25 certified with the accompanying affidavit of identity and
26 certificate of acceptance, the name of the candidate ~~shall~~**must** be
27 printed on the ballot for that election. Candidates nominated and
28 certified ~~shall~~**are** not ~~be~~ permitted to withdraw.

29 (3) The county caucus may also select the number of delegates



1 to the state convention to which the county is entitled and shall
2 select its own officers and name its own county committee.

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

27 Sec. 737a. (1) Except as otherwise provided in this section,
28 the board of election inspectors shall not count a write-in vote
29 for ~~a person~~**an individual** unless that ~~person~~**individual** has filed



1 a declaration of intent to be a write-in candidate as provided in
 2 this section. The write-in candidate shall file the declaration of
 3 intent to be a write-in candidate with the filing official for that
 4 elective office on or before 4 p.m. on the second Friday
 5 immediately before the election. The secretary of state,
 6 immediately after the 4 p.m. filing deadline under this subsection,
 7 shall prepare and have delivered a list of all ~~persons~~**individuals**
 8 who have filed a declaration of intent to be a write-in candidate
 9 under this subsection, if any, to the appropriate county clerks. A
 10 filing official other than the secretary of state who receives a
 11 declaration of intent to be a write-in candidate or list of ~~persons~~
 12 **individuals** who filed a declaration of intent from another filing
 13 official under this subsection shall prepare and have delivered a
 14 list of all ~~persons~~**individuals** who have filed a declaration of
 15 intent to be a write-in candidate to the board of election
 16 inspectors in the appropriate precincts before the close of the
 17 polls on election day.

18 (2) If a candidate whose name is printed on the official
 19 ballot for the election dies or is otherwise disqualified after 4
 20 p.m. on the second Friday immediately before the election, the
 21 requirement of filing a declaration of intent to be a write-in
 22 candidate under subsection (1) does not apply to a write-in
 23 candidate. If a death or disqualification has occurred as described
 24 in this subsection, the board of election inspectors shall count
 25 all write-in votes for write-in candidates for the office sought by
 26 the deceased or disqualified candidate.

27 (3) Subsections (1) and (2) do not apply to a write-in
 28 candidate for precinct delegate. The board of election inspectors
 29 shall not count a write-in vote for a write-in candidate for



1 precinct delegate unless that candidate has filed a declaration of
2 intent to be a write-in candidate as provided in this subsection. A
3 write-in candidate for precinct delegate shall file a declaration
4 of intent to be a write-in candidate with the county clerk of the
5 county in which that precinct is located on or before 4 p.m. on the
6 Friday immediately before the election or with the board of
7 election inspectors in the appropriate precinct before the close of
8 the polls on election day. A county clerk who receives a
9 declaration of intent to be a write-in candidate from a write-in
10 candidate for precinct delegate under this subsection shall prepare
11 and have delivered a list of all ~~persons~~**individuals** who have filed
12 a declaration of intent to be a write-in candidate to the city and
13 township clerks for the appropriate precincts before election day.
14 A city or township clerk shall deliver a list of all ~~persons~~
15 **individuals** who have filed a declaration of intent to be a write-in
16 candidate for precinct delegate to the board of election inspectors
17 in the appropriate precincts before the close of the polls on
18 election day.

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

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

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



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

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

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

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

18 Sec. 963. (1) Within 35 days after the filing of the recall
19 petition, the filing official with whom the recall petition is
20 filed shall make an official declaration of the sufficiency or
21 insufficiency of the recall petition. If the recall petition is
22 determined to be insufficient, the filing official shall notify the
23 person or organization sponsoring the recall of the insufficiency
24 of the recall petition. It is not necessary to give notification
25 unless the person or organization sponsoring the recall files with
26 the filing official a written notice of sponsorship and a mailing
27 address.

28 (2) If a recall petition is filed under section 960,
29 immediately upon determining that the recall petition is



1 sufficient, but not later than 35 days after the date of filing of
 2 the recall petition, the county clerk with whom the recall petition
 3 is filed shall call the recall election and proceed under sections
 4 971c to 975. The recall election ~~shall~~**must** be held not less than
 5 95 days after the date the recall petition is filed and ~~shall~~**must**
 6 be held on the next ~~May~~**June** regular election date or the next
 7 November regular election date, whichever occurs first.

8 (3) Except as otherwise provided in subsection (4), if a
 9 recall petition is filed under section 959, the filing official
 10 with whom the recall petition is filed shall call the recall
 11 primary election and proceed under sections 970b to 970g. The
 12 recall primary election ~~shall~~**must** be held on the next regular
 13 election date that is not less than 95 days after the date the
 14 recall petition is filed.

15 (4) If a recall petition is filed under section 959 demanding
 16 the recall of the governor, the filing official with whom the
 17 recall petition is filed shall call a special recall election and
 18 proceed under sections 975c to 975g. The special recall election
 19 ~~shall~~**must** be held not less than 95 days after the date the recall
 20 petition is filed and ~~shall~~**must** be held on the next ~~May~~**June**
 21 regular election date or the next ~~August~~**November** regular election
 22 date, whichever occurs first.

23 Sec. 970e. Subject to section 970b, the candidate of each
 24 political party receiving the greatest number of votes cast for
 25 candidates at the recall primary election as set forth in the
 26 report of the board of state canvassers, based on the returns from
 27 the various election precincts, shall be declared the nominee of
 28 that political party at the recall general election to be held on
 29 the next ~~May~~**June** regular election date or the next ~~August~~**November**



1 regular election date, whichever occurs first. In addition, except
2 as otherwise provided in this section, a candidate without a
3 political party affiliation may qualify for the recall general
4 election by filing a qualifying petition with the officer with whom
5 the recall petitions were filed that contains 10% of the number of
6 signatures required under section 544f within 10 days after the
7 recall general election is scheduled. An individual who was an
8 unsuccessful candidate in the recall primary election may not
9 subsequently file a qualifying petition as a candidate without a
10 political party affiliation for the recall general election.

11 Enacting section 1. This amendatory act takes effect January
12 1, 2023.

13 Enacting section 2. This amendatory act does not take effect
14 unless Senate Bill No. 130 of the 101st Legislature is enacted into
15 law.

