

HOUSE BILL No. 5237

(As passed the Senate, May 22, 2002)

October 16, 2001, Introduced by Reps. Drolet and Gosselin and referred to the Committee on Redistricting and Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 685 (MCL 168.685), as amended by 1990 PA
329.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 685. (1) The name of a candidate of a new political
2 party shall not be printed upon the official ballots of an elec-
3 tion unless the chairperson and secretary of the state central
4 committee of the party files with the secretary of state, not
5 later than 4 p.m. of the one hundred-tenth day before the general
6 November election, a certificate signed by the chairperson and
7 secretary of the state central committee bearing the name of the
8 party, together with petitions bearing the signatures of
9 registered and qualified electors equal to not less than 1% of
10 the total number of votes cast for all candidates for governor at

1 the last election in which a governor was elected. The petitions
2 shall be signed by at least 100 registered electors in each of at
3 least 1/2 of the congressional districts of the state. All sig-
4 natures on the petitions shall be obtained not more than 180 days
5 immediately ~~preceding~~ BEFORE the date of filing.

6 (2) After the date on which a petition is filed, the secre-
7 tary of state shall not accept additional petition sheets for
8 that petition. The validity and authenticity of the signatures
9 may be determined in the same manner as provided for initiatory
10 and referendary petitions in section 9 of article II of the state
11 constitution of 1963. An official declaration of the sufficiency
12 or insufficiency of a petition filed under this section shall be
13 made by the board of state canvassers not later than 60 days
14 before the general November election.

15 (3) The petitions shall be in substantially the following
16 form:

17 PETITION TO FORM NEW POLITICAL PARTY

18 We, the undersigned, duly registered electors of the
19 city, township of county of.....
20 (strike one)
21 state of Michigan, residing at the places set opposite our names,
22 respectfully request the secretary of state, in accordance with
23 section 685 of the Michigan election law, ~~Act No. 116 of the~~
24 ~~Public Acts of 1954, as amended, being section 168.685 of the~~
25 ~~Michigan Compiled Laws~~ 1954 PA 116, MCL 168.685, to receive the
26 certificate and vignette ~~tendered with~~ ACCOMPANYING this
27 petition, and place the names of the candidates of the

1 party on the ballot at the
2 election.

3 Warning: A person who knowingly signs petitions to organize
4 more than 1 new state political party, signs a petition to orga-
5 nize a new state political party more than once, or signs a name
6 other than his or her own is violating the provisions of the
7 Michigan election law.

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11 (4) The balance of the petition form shall be substantially
12 as set forth in section 544c. The size of all organizing peti-
13 tions shall be 8-1/2 inches by 13 inches and shall be printed in
14 the following type sizes: The words "petition to form new polit-
15 ical party" and the name of the proposed political party shall be
16 in 24-point boldface type; the word "warning" and the language
17 contained in the warning shall be in 12-point boldface type.

18 (5) Petitions circulated under this section may be circu-
19 lated on a countywide basis. A petition that is circulated coun-
20 tywide shall be on a form prescribed by the secretary of state.

21 (6) If the principal candidate of a political party receives
22 a vote equal to less than 1% of the total number of votes cast
23 for the successful candidate for the office of secretary of state
24 at the last preceding general November election in which a secre-
25 tary of state was elected, that political party shall not have
26 the name of any candidate printed on the ballots at the next
27 ensuing general November election, and a column shall not be

1 provided on the ballots for that party. A disqualified party may
2 again qualify and have the names of its candidates printed in a
3 separate party column on each election ballot in the manner set
4 forth in subsection (1) for the qualification of new parties.

5 The term "principal candidate" of ~~any~~ A POLITICAL party means
6 the candidate ~~whose name appears nearest the top of the party~~
7 ~~column~~ WHO RECEIVES THE GREATEST NUMBER OF VOTES OF ALL CANDI-
8 DATES OF THAT POLITICAL PARTY FOR THAT ELECTION.

9 (7) A political party that complied with this section is
10 subject to section 686a in order to have the name of that party,
11 its vignette, and its candidates appear on the general election
12 ballot.

13 (8) A person shall not knowingly sign a petition to organize
14 more than 1 new state political party, sign a petition to orga-
15 nize a new state political party more than once, or sign a name
16 other than his or her own on the petition.