

# HOUSE BILL No. 5354

December 4, 2003, Introduced by Reps. Taub, Tabor and Richardville and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 482 and 488 (MCL 168.482 and 168.488), section 482 as amended and section 488 as added by 1998 PA 142.

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

1       Sec. 482. (1) Each petition under this section shall be  
2 8-1/2 inches by 14 inches in size **and shall comply with this**  
3 **section and section 544c(2).**

4       (2) If the measure to be submitted proposes a constitutional  
5 amendment, initiation of legislation, or referendum of  
6 legislation, the heading of each part of the petition shall be  
7 prepared in the following form and printed in capital letters in  
8 14-point boldfaced type:

9                                   INITIATIVE PETITION  
10                                  AMENDMENT TO THE CONSTITUTION

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OR

INITIATION OF LEGISLATION

OR

REFERENDUM OF LEGISLATION

PROPOSED BY INITIATIVE PETITION

(3) The full text of the amendment ~~so~~ **being** proposed shall follow and be printed in 8-point type. If the proposal would alter or abrogate an existing provision of the constitution, the petition shall so state and the provisions to be altered or abrogated shall be inserted, preceded by the words:

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

(4) The following statement shall appear beneath the petition heading:

"We, the undersigned qualified and registered electors, residents in the city township (strike 1) of ..... in the county of ....., state of Michigan, respectively petition for (amendment to constitution) (initiation of legislation) (referendum of legislation) (other appropriate description)."

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

WARNING

A person who knowingly signs this petition more than once,

1 signs a name other than his or her own, signs when not a  
 2 qualified and registered elector, or sets opposite his or her  
 3 signature on a petition —, a date other than the actual date the  
 4 signature was affixed —, is violating the provisions of the  
 5 Michigan election law.

6 ~~(6) The remainder of the petition form shall be as provided~~  
 7 ~~following the warning to electors signing the petition in section~~  
 8 ~~544c(1). In addition, the petition shall comply with the~~  
 9 ~~requirements of section 544c(2).~~

10 (6) The certificate of the circulator shall be in the  
 11 following form:

12 CERTIFICATE OF CIRCULATOR

13 The undersigned circulator of the above petition asserts that  
 14 he or she is qualified to circulate this petition and that each  
 15 signature on the petition was signed in his or her presence; that  
 16 the circulator of the petition is not being compensated for  
 17 circulating the petition; and that, to his or her best knowledge  
 18 and belief, each signature is the genuine signature of the person  
 19 purporting to sign the petition, the person signing the petition  
 20 was at the time of signing a qualified registered elector of the  
 21 city or township listed in the heading of the petition, and the  
 22 elector was qualified to sign the petition.

23 Circulator--Do not sign or date certificate until after  
 24 circulating petition.

25 \_\_\_\_\_  
 26 (Printed Name and Signature of Circulator) (Date)

1 \_\_\_\_\_  
 2 (City or Township Where Qualified to be Registered)

3 \_\_\_\_\_  
 4 Complete Residence Address (Street and Number or Rural Route)

5 \_\_\_\_\_  
 6 (Zip Code)

7 Warning--A circulator knowingly making a false statement in  
 8 the above certificate, a person not a circulator who signs as a  
 9 circulator, a person who circulates a petition for compensation,  
 10 or a person who signs a name other than his or her own as  
 11 circulator is guilty of a misdemeanor.

12 (7) An individual shall not circulate a petition under this  
 13 section for compensation. An individual who circulates a  
 14 petition for compensation is guilty of a misdemeanor punishable  
 15 by a fine of not more than \$500.00 or imprisonment for not more  
 16 than 93 days, or both.

17 Sec. 488. (1) Section 544c applies to a nominating petition  
 18 for an office in a political subdivision under a statute that  
 19 refers to this section — and to the circulation and signing of  
 20 the petition.

21 (2) Section 482(1), (4), (5), ~~and~~ (6), ~~apply~~ and (7)  
 22 **applies** to a petition to place a question on the ballot before  
 23 the electorate of a political subdivision under a statute that  
 24 refers to this section — and to the circulation and signing of

1 the petition.

2 (3) A person who violates a provision of this act applicable  
3 to a petition ~~pursuant to~~ **under** subsection (1) or (2) is  
4 subject to the penalties prescribed for that violation in this  
5 act.