

SENATE BILL No. 513

May 19, 2005, Introduced by Senators HAMMERSTROM and SIKKEMA and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 301, 302, 312, 370, 381, 498, 641, 642a, 653a, 699, and 963 (MCL 168.301, 168.302, 168.312, 168.370, 168.381, 168.498, 168.641, 168.642a, 168.653a, 168.699, and 168.963), section 301 as amended by 2004 PA 286, sections 302 and 312 as added and sections 370 and 963 as amended by 2003 PA 302, section 381 as amended by 2004 PA 290, section 498 as amended by 1984 PA 89, section 641 as amended by 2003 PA 298, section 642a as amended by 2004 PA 294, section 653a as added by 1982 PA 2, and section 699 as amended by 2004 PA 297.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 301. (1) Unless a particular power or duty of an election
2 official or a particular election procedure is specifically
3 governed by a provision of this chapter, a school district election
4 is governed by the provisions of this act that generally govern
5 elections.

6 (2) Except as provided in section 305, the school district
7 election coordinator for a school district shall conduct each
8 regular election and each special election that is requested by the
9 school board to submit a ballot question or to fill a vacancy on
10 the school board. In addition to receiving requests from the school
11 board to hold special elections, the school district election
12 coordinator shall do all of the following:

13 (a) Receive filing fees or nominating petitions and affidavits
14 of identity from candidates for school board and petitions for
15 special elections.

16 (b) Procure the necessary qualified voter file precinct lists.

17 (c) Certify candidates.

18 (d) Receive ballot proposal language.

19 (e) Issue absent voter ballots.

20 (3) A school district election coordinator who is a county
21 clerk may delegate, if the city or township clerk agrees, all or a
22 portion of the school district election coordinator's duties to
23 that city or township clerk. The school district election
24 coordinator shall not delegate duties to any person not named in
25 this section.

26 (4) A school district election coordinator who is a county
27 clerk may delegate the following duties to the city or township

1 clerk, who shall perform the following duties:

2 (a) Distribute, receive, and process absent voter ballot
3 applications for a school election.

4 (b) Make voting systems available for the conduct of a school
5 election.

6 (c) Make available to the school district election coordinator
7 the list of election inspectors for that city or township.

8 **(D) NOTIFY SCHOOL DISTRICT ELECTORS OF PRECINCT AND POLLING
9 PLACE LOCATION CHANGES.**

10 **(5) IF THE COUNTY CLERK IS THE SCHOOL DISTRICT ELECTION
11 COORDINATOR FOR A SCHOOL DISTRICT, THE COUNTY ELECTION COMMISSION
12 SHALL ESTABLISH THAT SCHOOL DISTRICT'S ELECTION PRECINCTS AND
13 POLLING PLACE LOCATIONS IN ACCORDANCE WITH THIS ACT.**

14 **(6) IF THE CITY OR TOWNSHIP CLERK IS THE SCHOOL DISTRICT
15 ELECTION COORDINATOR FOR A SCHOOL DISTRICT, THE CITY OR TOWNSHIP
16 ELECTION COMMISSION SHALL ESTABLISH THAT SCHOOL DISTRICT'S ELECTION
17 PRECINCTS AND POLLING PLACE LOCATIONS IN ACCORDANCE WITH THIS ACT.**

18 Sec. 302. An individual is eligible for election as a school
19 board member if the individual is a citizen of the United States
20 and is a qualified and registered elector of the school district
21 the individual seeks to represent by the filing deadline. At least
22 1 school board member for a school district shall be elected at
23 each of the school district's regular elections held as provided in
24 section **642 OR** 642a. Except as otherwise provided in this section
25 or section 310 or 644g, a school board member's term of office is
26 prescribed by the applicable provision of section 11a, 617, 701, or
27 703 of the revised school code, 1976 PA 451, MCL 380.11a, 380.617,

1 380.701, and 380.703, or section 34, 34a, 41, 54, or 83 of the
2 community college act of 1966, 1966 PA 331, MCL 389.34, 389.34a,
3 389.41, 389.54, and 389.83. IF A BALLOT QUESTION CHANGING THE
4 NUMBER OF SCHOOL BOARD MEMBERS OR CHANGING THE TERMS OF OFFICE FOR
5 SCHOOL BOARD MEMBERS PURSUANT TO SECTION 11A OF THE REVISED SCHOOL
6 CODE, 1976 PA 451, MCL 380.11A, IS PROPOSED AND A SCHOOL DISTRICT
7 NEEDS A TEMPORARY VARIANCE FROM THE TERMS OF OFFICE PROVISIONS IN
8 THIS ACT AND THE REVISED SCHOOL CODE, 1976 PA 451, MCL 380.1 TO
9 380.1852, TO PHASE IN OR OUT SCHOOL BOARD MEMBERS' TERMS OF OFFICE,
10 THE SCHOOL BOARD SHALL SUBMIT THE PROPOSED BALLOT QUESTION LANGUAGE
11 AND A PROPOSED TRANSITION PLAN TO THE SECRETARY OF STATE AT LEAST
12 30 DAYS BEFORE THE SCHOOL BOARD SUBMITS THE BALLOT QUESTION
13 LANGUAGE TO THE SCHOOL DISTRICT ELECTION COORDINATOR PURSUANT TO
14 SECTION 312. THE SECRETARY OF STATE SHALL APPROVE OR REJECT THE
15 PROPOSED TRANSITION PLAN WITHIN 10 BUSINESS DAYS OF RECEIPT OF THE
16 PROPOSED TRANSITION PLAN. THE SECRETARY OF STATE SHALL APPROVE THE
17 PROPOSED TRANSITION PLAN IF THE PLAN PROVIDES ONLY TEMPORARY RELIEF
18 TO THE SCHOOL DISTRICT FROM THE TERMS OF OFFICE PROVISIONS IN THIS
19 ACT AND THE REVISED SCHOOL CODE, 1976 PA 451, MCL 380.1 TO
20 380.1852, UNTIL SUCH TIME THAT THE TERMS OF OFFICE FOR SCHOOL BOARD
21 MEMBERS CAN BE MADE TO COMPLY WITH THIS ACT AND THE REVISED SCHOOL
22 CODE, 1976 PA 451, MCL 380.1 TO 380.1852. THE SCHOOL BOARD SHALL
23 NOT SUBMIT THE PROPOSED BALLOT QUESTION LANGUAGE TO THE SCHOOL
24 DISTRICT ELECTION COORDINATOR PURSUANT TO SECTION 312 UNTIL THE
25 PROPOSED TRANSITION PLAN IS APPROVED BY THE SECRETARY OF STATE. A
26 school board member's term begins on 1 of the following dates:

27 (a) If elected at an election held on a November regular

1 election date, January 1 immediately following the election.

2 (b) If elected at an election held on a May regular election
3 date, July 1 immediately following the election.

4 Sec. 312. (1) A school board may submit a ballot question to
5 the school electors on a regular election date, on a date when a
6 city or township within the school district's jurisdiction is
7 holding an election by adopting a resolution to that effect not
8 ~~less than 70 days before the election date~~ **LATER THAN THE TIME**
9 **PERMITTED FOR CERTIFICATION UNDER SECTION 646A(2)**, or on a special
10 election date as provided in section 641(4). The school board shall
11 certify the ballot question language to the school district
12 election coordinator not ~~less than 70 days before the election~~
13 ~~date~~ **LATER THAN THE TIME PERMITTED FOR CERTIFICATION UNDER SECTION**
14 **646A(2)**. If the ballot question is submitted on the same date as an
15 election for a state or county office, the school district election
16 coordinator shall send a copy of the ballot question language to
17 the county clerk of each county not less than 68 days before the
18 election.

19 (2) If a special election is called on a date provided under
20 section 641(4), the school district election coordinating committee
21 shall schedule the special election date.

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

27 (2) If 1 or more vacancies occur in an elective township

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

12 (3) If a township official submits a written resignation from
13 an elective township office, for circumstances other than a
14 resignation related to a recall election, that specifies a date and
15 time when the resignation is effective, the township board, within
16 30 days before that effective date and time, may appoint a person
17 to fill the vacancy at the effective date and time of the
18 resignation. The resigning official shall not vote on the
19 appointment.

20 (4) Except as provided in subsection (5), if the township
21 board does not make an appointment under subsection (3), or if a
22 vacancy occurs in an elective township office and the vacancy is
23 not filled by the township board or the board of county election
24 commissioners within 45 days after the beginning of the vacancy,
25 the county clerk of the county in which the township is located
26 shall ~~notify the governor of the fact~~ **CALL A SPECIAL ELECTION**
27 **WITHIN 5 CALENDAR DAYS TO FILL THE VACANCY.** ~~The governor shall~~

1 ~~call a special election to fill the vacancy. The governor shall~~
2 ~~provide for the date for the filing of the petitions, and that date~~
3 ~~shall also be the last date to register for the special primary~~
4 ~~election.~~ NOT LATER THAN 4 P.M. ON THE FIFTEENTH CALENDAR DAY
5 AFTER THE COUNTY CLERK CALLS A SPECIAL ELECTION PURSUANT TO THIS
6 SECTION, THE TOWNSHIP PARTY COMMITTEE FOR EACH POLITICAL PARTY IN
7 THE TOWNSHIP SHALL SUBMIT A NOMINEE TO FILL THE VACANCY. THE
8 SPECIAL ELECTION SHALL BE HELD ON THE NEXT REGULAR ELECTION DATE
9 THAT IS NOT LESS THAN 60 DAYS AFTER THE DEADLINE FOR SUBMITTING
10 NOMINEES UNDER THIS SECTION OR 70 DAYS AFTER THE DEADLINE FOR
11 SUBMITTING NOMINEES UNDER THIS SECTION IF THE NEXT REGULAR ELECTION
12 DATE IS THE EVEN YEAR AUGUST PRIMARY OR THE GENERAL NOVEMBER
13 ELECTION. NOTICE OF THE SPECIAL ELECTION SHALL BE GIVEN IN THE SAME
14 MANNER REQUIRED BY SECTION 653A. A special ~~primary or~~ election
15 called ~~by the governor~~ under ~~authority of~~ this section does not
16 affect the rights of a qualified elector to register for any other
17 election. A person elected to fill a vacancy shall serve for the
18 remainder of the unexpired term.

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

26 Sec. 381. (1) Except as provided in subsection (2) and
27 sections 383, 641, 642, and 644g, the qualifications, nomination,

1 election, appointment, term of office, and removal from office of a
2 village officer shall be as determined by the charter provisions
3 governing the village.

4 (2) If the membership of the village council of a village
5 governed by the general law village act, 1895 PA 3, MCL 61.1 to
6 74.25, is reduced to less than a quorum of 4 and a special election
7 for the purpose of filling all vacancies in the office of trustee
8 is called under section 13 of chapter II of the general law village
9 act, 1895 PA 3, MCL 62.13, temporary appointments of trustees shall
10 be made as provided in this subsection. The board of county
11 election commissioners of the county in which the largest portion
12 of the population of the village is situated shall make temporary
13 appointment of the number of trustees required to constitute a
14 quorum for the transaction of business by the village council. A
15 trustee appointed under this subsection shall hold the office only
16 until the trustee's successor is elected and qualified. A trustee
17 who is temporarily appointed under this subsection shall not vote
18 on the appointment of himself or herself to an elective or
19 appointive village office.

20 (3) Notwithstanding another provision of law or charter to the
21 contrary, an appointment to an elective or appointive village
22 office made by a quorum constituted by temporary appointments under
23 this subsection expires upon the election and qualification of
24 trustees under the special election called to fill the vacancies in
25 the office of trustee.

26 (4) Filing for a village office shall be with the township
27 clerk if the township is conducting the election or if the village

1 is located in more than 1 township with the township in which the
2 largest number of the registered electors of the village reside.

3 (5) IF A VILLAGE COUNCIL ADOPTS A RESOLUTION IN COMPLIANCE
4 WITH SECTION 642(7) TO HOLD ITS REGULAR ELECTION AT THE SEPTEMBER
5 PRIMARY ELECTION, THE NOMINATING PETITIONS FOR VILLAGE OFFICES TO
6 BE FILLED AT THE SEPTEMBER PRIMARY ELECTION SHALL BE FILED WITH THE
7 VILLAGE CLERK BY 4 P.M. ON THE TWELFTH TUESDAY BEFORE THE SEPTEMBER
8 PRIMARY ELECTION.

9 Sec. 498. (1) The governing body of a township, city, or
10 village may provide by resolution that in that township, city, or
11 village the clerk shall be at the clerk's office, or in some other
12 convenient place designated by the clerk, during the hours
13 designated by the governing body on the thirtieth day preceding an
14 election or primary election in the township, city, or village,
15 unless the thirtieth day falls on a Saturday, Sunday, or legal
16 holiday, in which event registration shall be accepted during the
17 same hours on the following day.

18 (2) In a township, city, or village in which the clerk does
19 not maintain regular daily office hours, the township board or the
20 legislative body of the city or village may require that the clerk
21 of the township, city, or village shall be at the clerk's office or
22 other designated place for the purpose of receiving applications
23 for registration on the days which the board or legislative body
24 designates, but not more than 5 days before the last day for
25 registration.

26 (3) The clerk of each township, city, and village shall give
27 public notice of the days and hours that the clerk will be at the

1 clerk's office or other designated place for the purpose of
2 receiving registrations before an election or primary election by
3 publication of the notice, except as provided in subsection (4) and
4 section 497(2), at least twice in a newspaper published or of
5 general circulation in the township, city, or village and, if
6 considered advisable by the township, city, or village clerk, by
7 posting written or printed notices in at least 2 of the most
8 conspicuous places in each election precinct. Except as provided in
9 subsection (4), ~~and except for a notice of registration for a~~
10 ~~special election held pursuant to section 640,~~ the first
11 publication or posting shall be made not less than 10 days before
12 the last day for receiving registrations. ~~If the notice of~~
13 ~~registration is for a special election for purposes of voting upon~~
14 ~~a proposal, other than a special election held pursuant to section~~
15 ~~640, the proposal as it will appear on the ballot shall be stated~~
16 ~~in the notice.~~ **IF THE NOTICE OF REGISTRATION IS FOR AN ELECTION**
17 **THAT INCLUDES A BALLOT PROPOSAL, A CAPTION OR BRIEF DESCRIPTION OF**
18 **THE BALLOT PROPOSAL SHALL BE STATED IN THE NOTICE.**

19 (4) Notice of registration for a school millage election that
20 will be held pursuant to section 36 of the general property tax
21 act, ~~Act No. 206 of the Public Acts of 1893, as amended, being~~
22 ~~section 211.36 of the Michigan Compiled Laws~~ **1893 PA 206, MCL**
23 **211.36**, shall be required to be published only once and shall be
24 made not less than 5 days before the last day for receiving
25 registrations as provided in section 497a.

26 (5) A county clerk may enter into an agreement with the clerk
27 of 1 or more townships or cities in the county or the clerks of 1

1 or more cities or townships in a county may enter into an agreement
2 to jointly publish the notice required in subsection (3). The
3 notice shall be published in a newspaper of general circulation in
4 the cities and townships listed in the notice.

5 Sec. 641. (1) Except as otherwise provided in this section and
6 sections 642 and 642a, beginning January 1, 2005, an election held
7 under this act shall be held on 1 of the following regular election
8 dates:

9 (a) The February regular election date, which is the fourth
10 Tuesday in February.

11 (b) The May regular election date, which is the first Tuesday
12 after the first Monday in May.

13 (c) The August regular election date, which is the first
14 Tuesday after the first Monday in August.

15 (d) The November regular election date, which is the first
16 Tuesday after the first Monday in November.

17 (2) If an elective office is listed by name in section 643,
18 requiring the election for that office to be held at the general
19 election, and if candidates for the office are nominated at a
20 primary election, the primary election shall be held on the August
21 regular election date.

22 (3) Except as otherwise provided in this subsection and
23 subsection (4), a special election shall be held on a regular
24 election date. A special election called by the governor under
25 section 145, 178, ~~370,~~ 632, 633, or 634 to fill a vacancy or
26 called by the legislature to submit a proposed constitutional
27 amendment as authorized in section 1 of article XII of the state

1 constitution of 1963 may, but is not required to be, held on a
2 regular election date.

3 (4) A school district may call a special election to submit a
4 ballot question to borrow money, increase a millage, or establish a
5 bond if an initiative petition is filed with the county clerk. The
6 petition shall be signed by a number of qualified and registered
7 electors of the district equal to not less than 10% of the electors
8 voting in the last gubernatorial election in that district or 3,000
9 signatures, whichever number is lesser. Section 488 applies to a
10 petition to call a special election for a school district under
11 this section. **IN ADDITION TO THE REQUIREMENTS SET FORTH IN SECTION**
12 **488, THE PROPOSED DATE OF THE SPECIAL ELECTION SHALL APPEAR BENEATH**
13 **THE PETITION HEADING, AND THE PETITION SHALL CLEARLY STATE THE**
14 **AMOUNT OF THE MILLAGE INCREASE OR THE AMOUNT OF THE LOAN OR BOND**
15 **SOUGHT AND THE PURPOSE FOR THE MILLAGE INCREASE OR THE PURPOSE FOR**
16 **THE LOAN OR BOND.** The petition shall be filed with the county clerk
17 by 4 p.m. of the ~~tenth~~ **TWELFTH** Tuesday before the proposed date
18 of the special election. The petition signatures shall be obtained
19 within 60 days before the filing of the petition. Any signatures
20 obtained more than 60 days before the filing of the petition are
21 not valid. If the special election called by the school district is
22 not scheduled to be held on a regular election date as provided in
23 subsection (1), the special election shall be held on a Tuesday. A
24 special election called by a school district under this subsection
25 shall not be held within 30 days before or 35 days after a regular
26 election date as provided in subsection (1). A school district may
27 only call 1 special election **PURSUANT TO THIS SUBSECTION** in each

1 calendar year.

2 (5) The secretary of state shall make a report to the house
3 and senate committees that consider election issues by December 1,
4 2006. The secretary of state shall report about the special
5 elections held under this subsection, including, but not limited
6 to, all of the following:

7 (a) The number of times a special election has been held.

8 (b) Which school districts have held special elections.

9 (c) Information about the success rate of the ballot question
10 submitted at the special elections.

11 (d) Information about voter turnout, including the percentage
12 and number of registered voters who voted in each special election.

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

15 (7) This section shall be known and may be cited as the
16 "Hammerstrom election consolidation law".

17 Sec. 642a. (1) After December 31, 2004, a city council that
18 adopted a resolution so that its regular election is held on the
19 May regular election date may change its regular election to the
20 odd year general election by adopting a resolution in compliance
21 with section 642. If a city council adopts the resolution in
22 compliance with section 642 to hold its regular election at the odd
23 year general election, after December 31 of the year in which the
24 resolution is adopted, the city's regular election is at the odd
25 year general election.

26 (2) After December 31, 2004, a city council that holds its
27 regular election for city offices annually or in the even year on

1 the November regular election date may change its regular election
2 schedule to the odd year general election and the odd year primary
3 election by adopting a resolution in compliance with section 642.

4 If a city council adopts the resolution in compliance with section
5 642, the city's regular election is at the odd year general
6 election and its primary is at the odd year primary election.

7 (3) After December 31, 2004, a city council that adopted a
8 resolution so that its regular election primary is held at the
9 September primary election may change its regular election primary
10 to the odd year primary election by adopting a resolution in
11 compliance with section 642. If a city council adopts the
12 resolution in compliance with section 642 to hold its regular
13 election primary on the odd year primary election date, after
14 December 31 of the year in which the resolution is adopted, the
15 city's regular election primary is on the odd year primary election
16 date.

17 (4) After December 31, 2004, a school district's school board
18 that adopted a resolution so that its regular election is held on a
19 date other than at the odd year general election may change its
20 regular election to the odd year general election, **THE GENERAL**
21 **NOVEMBER ELECTION, THE NOVEMBER REGULAR ELECTION DATE IN BOTH EVEN**
22 **AND ODD YEARS, OR THE ODD YEAR MAY REGULAR ELECTION DATE** by
23 adopting a resolution in compliance with section 642. If a school
24 board adopts the resolution in compliance with section 642 to hold
25 its regular election at the odd year general election, **THE GENERAL**
26 **NOVEMBER ELECTION, THE NOVEMBER REGULAR ELECTION DATE IN BOTH EVEN**
27 **AND ODD YEARS, OR THE ODD YEAR MAY REGULAR ELECTION DATE**, after

1 December 31 of the year in which the resolution is adopted, the
2 school board's school district shall hold its regular election ~~at~~
3 **ON the ~~odd year general~~ election DATE ADOPTED IN THE RESOLUTION.**

4 (5) After December 31, 2004, a village council that adopted a
5 resolution so that its regular election is held on the September
6 primary election date may change its regular election to the
7 November regular election date by adopting a resolution in
8 compliance with section 642. If a village council adopts the
9 resolution in compliance with section 642 to hold its regular
10 election at the November regular election date, after December 31
11 of the year in which the resolution is adopted, the village's
12 regular election is at the November regular election date.

13 ~~—— (6) This section takes effect September 1, 2004.~~

14 Sec. 653a. (1) On receipt of the notice from the county clerk
15 pursuant to section 652, the clerk of each city and township shall
16 give notice of the time and place at which the election is to be
17 held, the offices to be filled, and the proposals to be submitted
18 to the voters. ~~If the notice pertains to a special election for~~
19 ~~the purpose of voting upon a proposal, the proposal, as it will~~
20 ~~appear on the ballot, shall be contained in the notice.~~ The notice
21 shall be published at least twice in a newspaper published, or of
22 general circulation, in the city or township. **A CAPTION OR BRIEF**
23 **DESCRIPTION OF THE PROPOSAL OR PROPOSALS SHALL BE INCLUDED IN THE**
24 **FIRST PUBLISHED NOTICE. IF THE ELECTION INCLUDES A STATEWIDE BALLOT**
25 **PROPOSAL, A CAPTION OR BRIEF DESCRIPTION OF THE STATEWIDE BALLOT**
26 **PROPOSAL SHALL ALSO BE INCLUDED IN THE SECOND PUBLISHED NOTICE. IF**
27 **THE ELECTION PERTAINS TO A SPECIAL ELECTION FOR THE PURPOSE OF**

1 VOTING UPON A PROPOSAL, OR THE ELECTION INCLUDES A LOCAL BALLOT
2 PROPOSAL, THE ENTIRE PROPOSAL AS IT WILL APPEAR ON THE BALLOT SHALL
3 BE INCLUDED IN THE SECOND PUBLISHED NOTICE. The first publication
4 shall be not less than 10 days before the election. The notice
5 shall be in substantially the following form:

6 ELECTION NOTICE

7 To the qualified electors of the city or township _____
8 notice is hereby given that a _____

9 (indicate whether regular, special, or primary)

10 election will be held in _____ on _____
11 (date)

12 from 7 a.m. to 8 p.m. for the purpose of nominating or electing
13 candidates for the following offices: _____

14 (list of offices)

15 and to vote on the following proposals: _____

16 (list all proposals to be submitted to voters)

17 List of polling place locations: _____
18 _____

19 (clerk)

20 (2) A county clerk may enter into an agreement with the clerk
21 of 1 or more townships or cities in the county or the clerks of 1
22 or more cities or townships in a county may enter into an agreement
23 to jointly publish the notice in subsection (1). The notice shall
24 be published in a newspaper of general circulation in the cities
25 and townships listed in the notice. If certain offices or proposals

1 are to be voted on in less than all of the precincts, the notice
2 shall specify the townships or cities that shall vote on only those
3 offices or proposals.

4 Sec. 699. At ~~the general November~~ **ANY REGULAR** election, the
5 names of the several nonpartisan offices to be voted for shall be
6 placed on a separate portion of the ballot containing no party
7 designation in the following order: justices of the supreme court,
8 judges of the court of appeals, judges of the circuit court, judges
9 of the probate court, judges of the district court, **CITY OFFICERS,**
10 the following village officers in substantially the following order
11 in the year in which elections for the offices are held: president,
12 clerk, treasurer, and trustees, and in a year in which an election
13 for the office is held, **LOCAL school DISTRICT board member,**
14 **COMMUNITY COLLEGE BOARD OF TRUSTEES MEMBER, INTERMEDIATE SCHOOL**
15 **DISTRICT BOARD MEMBER, AND DISTRICT LIBRARY BOARD MEMBER.**

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

25 (2) Immediately upon determining that the petition is
26 sufficient, but not later than 35 days after the date of filing of
27 the petition, the county clerk with whom the petition is filed

1 shall call the special election to determine whether the electors
2 will recall the officer whose recall is sought. The election shall
3 be held on the next regular election date that is not less than ~~70~~
4 95 days after the date the petition is filed.

5 (3) If a petition is filed under section 959, the filing
6 official with whom the petition is filed shall call the special
7 election. The election shall be held on the next regular election
8 date that is not less than ~~70~~ 95 days after the petition is
9 filed.