

# HOUSE BILL No. 6061

November 28, 2012, Introduced by Reps. Switalski, LaFontaine, Forlini, Lane, Goike, Farrington, Liss and Haugh and referred to the Committee on Redistricting and Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 963 (MCL 168.963), as amended by 2005 PA 71.

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

1       Sec. 963. (1) Within 35 days after the filing of the recall  
2 petition, the filing official with whom the recall petition is  
3 filed shall make an official declaration of the sufficiency or  
4 insufficiency of the **RECALL** petition. If the recall petition is  
5 determined to be insufficient, the filing official shall notify the  
6 person or organization sponsoring the recall of the insufficiency  
7 of the petition. It is not necessary to give notification unless  
8 the person or organization sponsoring the recall files with the  
9 filing official a written notice of sponsorship and a mailing

1 address.

2 (2) Immediately upon determining that the **RECALL** petition is  
3 sufficient, but not later than 35 days after the date of filing of  
4 the **RECALL** petition, the county clerk with whom the **RECALL** petition  
5 is filed shall call the special election to determine whether the  
6 electors will recall the officer whose recall is sought. The  
7 election shall be held ~~on the next regular election date that is~~  
8 not less than 95 days after the date the **RECALL** petition is filed  
9 **AND SHALL BE HELD ON THE NEXT MAY REGULAR ELECTION DATE OR THE NEXT**  
10 **NOVEMBER REGULAR ELECTION DATE, WHICHEVER OCCURS FIRST.**

11 (3) If a **RECALL** petition is filed under section 959, the  
12 filing official with whom the **RECALL** petition is filed shall call  
13 the special election. The election shall be held ~~on the next~~  
14 ~~regular election date that is~~ not less than 95 days after the **DATE**  
15 **THE RECALL** petition is filed **AND SHALL BE HELD ON THE NEXT MAY**  
16 **REGULAR ELECTION DATE OR THE NEXT NOVEMBER REGULAR ELECTION DATE,**  
17 **WHICHEVER OCCURS FIRST.**