

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 6107

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 303, 544c, 558, 590h, 685, and 954 (MCL
168.303, 168.544c, 168.558, 168.590h, 168.685, and 168.954),
section 303 as amended by 2018 PA 120, section 544c as amended by
2014 PA 418, section 558 as amended by 2014 PA 94, section 590h as
amended by 2002 PA 431, section 685 as amended by 2017 PA 113, and
section 954 as amended by 2003 PA 302, and by adding section 482e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 303. (1) Subject to subsection ~~(4)~~, **(8)**, for an
2 individual's name to appear on the official ballot as a candidate
3 for school board member, the candidate shall file a nominating
4 petition and the affidavit required by section 558 with the school

1 district filing official not later than 4 p.m. on the fifteenth
2 Tuesday before the election date. The nominating petition must be
3 signed by the following number of electors of the school district:

4 (a) If the population of the school district is less than
5 10,000 according to the most recent federal census, a minimum of 6
6 and a maximum of 20.

7 (b) If the population of the school district is 10,000 or more
8 according to the most recent federal census, a minimum of 40 and a
9 maximum of 100.

10 (2) The nominating petition must be substantially in the form
11 prescribed in section 544c, except that the petition must be
12 nonpartisan and must include the following opening paragraph:

13 We, the undersigned, registered and qualified voters
14 of _____
15 and residents of the _____, the
16 _____ (legal name of school district)
17 county of _____, state of Michigan,
18 _____ (city or township)
19 nominate
20 _____ (name of candidate)
21 _____,

22 _____ (street address) _____ (city or township)
23 a registered and qualified elector of the district as a member
24 of the board of education of the school district for a term
25 of _____ years, expiring _____, to be voted for at the
26 election to be held on the _____ day of _____,
27 _____ (month) _____ (year)

1 (3) ~~A school elector shall not sign petitions for more~~
2 ~~candidates than are to be elected.~~ AN INDIVIDUAL SHALL NOT KNOWINGLY
3 SIGN MORE NOMINATING PETITIONS FOR THE SAME OFFICE THAN THERE ARE
4 PERSONS TO BE ELECTED TO THE OFFICE. AN INDIVIDUAL WHO VIOLATES
5 THIS SUBSECTION IS GUILTY OF A MISDEMEANOR.

6 (4) AN INDIVIDUAL SHALL NOT DO ANY OF THE FOLLOWING:

7 (A) SIGN A NOMINATING PETITION WITH A NAME OTHER THAN HIS OR
8 HER OWN.

9 (B) MAKE A FALSE STATEMENT IN A CERTIFICATE ON A NOMINATING
10 PETITION.

11 (C) IF NOT A CIRCULATOR, SIGN A NOMINATING PETITION AS A
12 CIRCULATOR.

13 (D) SIGN A NAME AS CIRCULATOR OTHER THAN HIS OR HER OWN.

14 (5) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (6), AN
15 INDIVIDUAL WHO VIOLATES SUBSECTION (4) IS GUILTY OF A MISDEMEANOR
16 PUNISHABLE BY A FINE OF NOT MORE THAN \$500.00 OR IMPRISONMENT FOR
17 NOT MORE THAN 93 DAYS, OR BOTH.

18 (6) AN INDIVIDUAL SHALL NOT SIGN A NOMINATING PETITION WITH
19 MULTIPLE NAMES. AN INDIVIDUAL WHO VIOLATES THIS SUBSECTION IS
20 GUILTY OF A FELONY.

21 (7) IF AN INDIVIDUAL SIGNS A NOMINATING PETITION IN VIOLATION
22 OF THIS SECTION, ANY SIGNATURE BY THAT INDIVIDUAL ON THE PETITION
23 IS INVALID AND MUST NOT BE COUNTED.

24 (8) ~~(4)~~—Instead of filing nominating petitions, a candidate
25 for school board member may pay a nonrefundable filing fee of
26 \$100.00 to the school district filing official. If this fee is paid
27 by the due date for a nominating petition, the payment has the same

1 effect under this section as the filing of a nominating petition.

2 (9) ~~(5)~~—A nominating petition filed under this chapter is
3 subject to the examination and investigation process prescribed in
4 section 552 as to its sufficiency and the validity and genuineness
5 of the signatures on the nominating petition, and to the other
6 procedures prescribed in that section relevant to a petition filed
7 under this chapter.

8 (10) ~~(6)~~—After a nominating petition is filed or filing fee is
9 paid for a candidate for school board member, the candidate is not
10 permitted to withdraw unless a written withdrawal notice, signed by
11 the candidate, is filed with the school district filing official
12 not later than 4 p.m. of the third day after the last day for
13 filing the nominating petition. If the school district filing
14 official is not a county clerk, the school district filing official
15 shall notify the county clerk of the candidates' names and
16 addresses not later than 3 days after the last day for filing a
17 withdrawal notice.

18 **SEC. 482E. (1) AN INDIVIDUAL SHALL NOT DO ANY OF THE FOLLOWING**
19 **REGARDING A PETITION UNDER SECTION 482:**

20 **(A) SIGN A PETITION WITH A NAME OTHER THAN HIS OR HER OWN.**

21 **(B) MAKE A FALSE STATEMENT IN A CERTIFICATE ON A PETITION.**

22 **(C) IF NOT A CIRCULATOR, SIGN A PETITION AS A CIRCULATOR.**

23 **(D) SIGN A NAME AS CIRCULATOR OTHER THAN HIS OR HER OWN.**

24 **(2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), AN**
25 **INDIVIDUAL WHO VIOLATES SUBSECTION (1) IS GUILTY OF A MISDEMEANOR**
26 **PUNISHABLE BY A FINE OF NOT MORE THAN \$500.00 OR IMPRISONMENT FOR**
27 **NOT MORE THAN 93 DAYS, OR BOTH.**

1 (3) AN INDIVIDUAL SHALL NOT SIGN A PETITION UNDER SECTION 482
2 WITH MULTIPLE NAMES. AN INDIVIDUAL WHO VIOLATES THIS SUBSECTION IS
3 GUILTY OF A FELONY.

4 (4) IF AN INDIVIDUAL SIGNS A PETITION IN VIOLATION OF THIS
5 SECTION, ANY SIGNATURE BY THAT INDIVIDUAL ON THE PETITION IS
6 INVALID AND MUST NOT BE COUNTED.

7 Sec. 544c. (1) A nominating petition ~~shall~~**MUST** be 8-1/2
8 inches by 14 inches in size. On a nominating petition, the words
9 "nominating petition" ~~shall~~**MUST** be printed in 24-point boldface
10 type. "We, the undersigned," et cetera ~~shall~~**MUST** be printed in 8-
11 point type. "Warning" and language in the warning ~~shall~~**MUST** be
12 printed in 12-point boldface type. The balance of the petition
13 ~~shall~~**MUST** be printed in 8-point type. The name, address, and party
14 affiliation of the candidate and the office for which petitions are
15 signed ~~shall~~**MUST** be printed in type not larger than 24-point. The
16 petition ~~shall~~**MUST** be in the following form:

17 NOMINATING PETITION

18 (PARTISAN)

19 We, the undersigned, registered and qualified voters
20 of the city or township of , in the county
21 (strike 1)
22 of and state of Michigan, nominate,
23 ,
24 (Name of Candidate)
25 ,
26 (Street Address or Rural Route) (City or Township)
27 as a candidate of the party for the

1 office of ,
 2 ,
 3 (District, if any)
 4 to be voted for at the primary election to be held on
 5 the day of , 20

6 WARNING

7 A person who knowingly signs more petitions for the same
 8 office than there are persons to be elected to the office, signs
 9 a petition more than once, or signs a name other than his or
 10 her own is violating the provisions of the Michigan election law.

12	Printed	Street Address		Date of		Signing
13	Name and	or		Mo.	Day	Year
14	Signature	Rural Route	Zip Code			

- 15
- 16 1. _____
- 17 2. _____
- 18 3. _____
- 19 4. _____

20 numbered lines as above

21 CERTIFICATE OF CIRCULATOR

22 The undersigned circulator of the above petition asserts that
 23 he or she is 18 years of age or older and a United States citizen;
 24 that each signature on the petition was signed in his or her
 25 presence; that he or she has neither caused nor permitted a person
 26 to sign the petition more than once and has no knowledge of a
 27 person signing the petition more than once; and that, to his or her

1 best knowledge and belief, each signature is the genuine signature
2 of the person purporting to sign the petition, the person signing
3 the petition was at the time of signing a registered elector of the
4 city or township listed in the heading of the petition, and the
5 elector was qualified to sign the petition.

6 Circulator—Do not sign or date certificate until after
7 circulating petition.

8 _____ If the circulator is not a resident of Michigan, the
9 circulator shall make a cross or check mark on the line provided,
10 otherwise each signature on this petition sheet is invalid and the
11 signatures will not be counted by a filing official. By making a
12 cross or check mark on the line provided, the undersigned
13 circulator asserts that he or she is not a resident of Michigan and
14 agrees to accept the jurisdiction of this state for the purpose of
15 any legal proceeding or hearing that concerns a petition sheet
16 executed by the circulator and agrees that legal process served on
17 the secretary of state or a designated agent of the secretary of
18 state has the same effect as if personally served on the
19 circulator.

20 _____
21 (Printed Name and Signature of Circulator) (Date)

22 _____
23 (Complete Residence Address (Street and Number
24 or Rural Route)) Do not enter a post office box

25 _____
26 (City or Township, State, Zip Code)

27 _____

1 (County of Registration, if Registered to Vote, of
2 a Circulator who is not a Resident of Michigan)

3 Warning-A circulator knowingly making a false statement in the
4 above certificate, a person not a circulator who signs as a
5 circulator, or a person who signs a name other than his or her own
6 as circulator is guilty of a misdemeanor.

7 (2) The petition ~~shall~~**MUST** be in a form providing a space for
8 the circulator and each elector who signs the petition to print his
9 or her name. The secretary of state shall prescribe the location of
10 the space for the printed name. The failure of the circulator or an
11 elector who signs the petition to print his or her name, to print
12 his or her name in the location prescribed by the secretary of
13 state, or to enter a zip code or his or her correct zip code does
14 not affect the validity of the signature of the circulator or the
15 elector who signs the petition. A printed name located in the space
16 prescribed for printed names does not constitute the signature of
17 the circulator or elector. If an elector does not include his or
18 her signature, his or her street address or rural route, or the
19 date of signing on the petition as required under subsection (1),
20 the elector's signature is invalid and ~~shall~~**MUST** not be counted by
21 a filing official.

22 (3) If the circulator of a petition under section 482, a
23 qualifying petition for an office named in section 590b(4), or a
24 petition to form a new political party under section 685 is not a
25 resident of this state, the circulator shall indicate where
26 provided on the certificate of circulator that he or she agrees to

1 accept the jurisdiction of this state for the purpose of any legal
2 proceeding or hearing initiated under section 476, 552, 590f(2), or
3 685 that concerns a petition sheet executed by the circulator and
4 agrees that legal process served on the secretary of state or a
5 designated agent of the secretary of state has the same effect as
6 if personally served on the circulator.

7 (4) If the secretary of state or a designated agent of the
8 secretary of state is served with legal process as described in
9 subsection (3), the secretary of state shall promptly notify the
10 circulator by personal service or certified mail at the
11 circulator's residential address as indicated in the certificate of
12 circulator.

13 (5) The circulator of a petition shall sign and date the
14 certificate of circulator before the petition is filed. A
15 circulator shall not obtain electors' signatures after the
16 circulator has signed and dated the certificate of circulator. A
17 filing official shall not count electors' signatures that were
18 obtained after the date the circulator signed the certificate or
19 that are contained in a petition that the circulator did not sign
20 and date.

21 (6) Except as provided in section 544d, a petition sheet ~~shall~~
22 **MUST** not be circulated in more than 1 city or township and each
23 signer of a petition sheet ~~shall~~**MUST** be a registered elector of
24 the city or township indicated in the heading of the petition
25 sheet. The invalidity of 1 or more signatures on a petition does
26 not affect the validity of the remainder of the signatures on the
27 petition.

1 (7) An individual shall not sign more nominating petitions for
2 the same office than there are persons to be elected to the office.
3 An individual who violates this subsection is guilty of a
4 misdemeanor.

5 (8) An individual shall not do any of the following:

6 (a) Sign a petition with a name other than his or her own.

7 (b) Make a false statement in a certificate on a petition.

8 (c) If not a circulator, sign a petition as a circulator.

9 (d) Sign a name as circulator other than his or her own.

10 (9) ~~An~~ **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (10), AN**
11 individual who violates subsection (8) is guilty of a misdemeanor
12 punishable by a fine of not more than \$500.00 or imprisonment for
13 not more than 93 days, or both.

14 **(10) AN INDIVIDUAL SHALL NOT SIGN A PETITION WITH MULTIPLE**
15 **NAMES. AN INDIVIDUAL WHO VIOLATES THIS SUBSECTION IS GUILTY OF A**
16 **FELONY.**

17 **(11)** ~~(10)~~ If after a canvass and a hearing on a petition under
18 section 476 or 552 the board of state canvassers determines that an
19 individual has knowingly and intentionally failed to comply with
20 subsection (8) **OR (10)**, the board of state canvassers may impose 1
21 or more of the following sanctions:

22 (a) Disqualify obviously fraudulent signatures on a petition
23 form on which the violation of subsection (8) **OR (10)** occurred,
24 without checking the signatures against local registration records.

25 (b) Disqualify from the ballot a candidate who committed,
26 aided or abetted, or knowingly allowed the violation of subsection
27 (8) **OR (10)** on a petition to nominate that candidate.

1 **(12)** ~~(11)~~—If an individual violates subsection (8) **OR (10)** and
2 the affected petition sheet is filed, each of the following who
3 knew of the violation of subsection (8) **OR (10)** before the filing
4 of the affected petition sheet and who failed to report the
5 violation to the secretary of state, the filing official, if
6 different, the attorney general, a law enforcement officer, or the
7 county prosecuting attorney is guilty of a misdemeanor, punishable
8 by a fine of not more than \$500.00 or imprisonment for not more
9 than 1 year, or both:

10 (a) The circulator of the petition, if different than the
11 individual who violated subsection (8) **OR (10)**.

12 (b) If the petition is a nominating petition, the candidate
13 whose nomination is sought.

14 (c) If the petition is a petition for a ballot question or
15 recall, the organization or other person sponsoring the petition
16 drive.

17 **(13)** ~~(12)~~—If after a canvass and a hearing on a petition under
18 section 476 or 552 the board of state canvassers determines that an
19 individual has violated subsection ~~(11)~~, **(12)**, the board of state
20 canvassers may impose 1 or more of the following sanctions:

21 (a) Impose on the organization or other person sponsoring the
22 petition drive an administrative fine of not more than \$5,000.00.

23 (b) Charge the organization or other person sponsoring the
24 petition drive for the costs of canvassing a petition form on which
25 a violation of subsection (8) **OR (10)** occurred.

26 (c) Disqualify an organization or other person described in
27 subdivision (a) from collecting signatures on a petition for a

1 period of not more than 4 years.

2 (d) Disqualify obviously fraudulent signatures on a petition
3 form on which a violation of subsection (8) **OR (10)** occurred
4 without checking the signatures against local registration records.

5 (e) Disqualify from the ballot a candidate who committed,
6 aided or abetted, or knowingly allowed a violation of subsection
7 (8) **OR (10)** on a petition to nominate that candidate.

8 **(14)** ~~(13)~~—If an individual refuses to comply with a subpoena
9 of the board of state canvassers in an investigation of an alleged
10 violation of subsection (8), **(10)**, or ~~(11)~~, **(12)**, the board may
11 hold the canvass of the petitions in abeyance until the individual
12 complies.

13 **(15)** ~~(14)~~—A person who aids or abets another in an act that is
14 prohibited by this section is guilty of that act.

15 **(16)** ~~(15)~~—The provisions of this section except as otherwise
16 expressly provided apply to all petitions circulated under
17 authority of the election law.

18 Sec. 558. (1) When filing a nominating petition, qualifying
19 petition, filing fee, or affidavit of candidacy for a federal,
20 county, state, city, township, village, metropolitan district, or
21 school district office in any election, a candidate shall file with
22 the officer with whom the petitions, fee, or affidavit is filed 2
23 copies of an affidavit of identity. A candidate nominated for a
24 federal, state, county, city, township, or village office at a
25 political party convention or caucus shall file an affidavit of
26 identity within 1 business day after being nominated with the
27 secretary of state. The affidavit of identity filing requirement

1 does not apply to a candidate nominated for the office of ~~president~~
 2 **PRESIDENT** of the United States or ~~vice president~~ **VICE PRESIDENT** of
 3 the United States.

4 (2) An affidavit of identity ~~shall~~ **MUST** contain the
 5 candidate's name ~~, AND RESIDENTIAL~~ address; ~~, and ward and precinct~~
 6 ~~where registered, if qualified to vote at that election; a~~
 7 statement that the candidate is a citizen of the United States; ~~the~~
 8 ~~candidate's number of years of residence in the state and county;~~
 9 **THE TITLE OF THE OFFICE SOUGHT; A STATEMENT THAT THE CANDIDATE**
 10 **MEETS THE CONSTITUTIONAL AND STATUTORY QUALIFICATIONS FOR THE**
 11 **OFFICE SOUGHT;** other information that may be required to satisfy
 12 the officer as to the identity of the candidate; **AND** the manner in
 13 which the candidate wishes to have his or her name appear on the
 14 ballot. ~~; and a statement that the candidate either is or is not~~
 15 ~~using a name, whether a given name, a surname, or otherwise, that~~
 16 ~~is not a name that he or she was given at birth. If a candidate is~~
 17 using a name that is not a name that he or she was given at birth,
 18 the candidate shall include on the affidavit of identity the
 19 candidate's full former name.

20 (3) The requirement to indicate a name change on the affidavit
 21 of identity does not apply if the name in question is 1 of the
 22 following:

23 (a) A name that was formally changed at least 10 years before
 24 filing as a candidate.

25 (b) A name that was changed in a certificate of naturalization
 26 issued by a federal district court at the time the individual
 27 became a naturalized citizen at least 10 years before filing as a

1 candidate.

2 (c) A name that was changed because of marriage.

3 (d) A name that was changed because of divorce, but only if to
4 a legal name by which the individual was previously known.

5 (e) A name that constitutes a common law name as provided in
6 section 560b.

7 (4) An affidavit of identity ~~shall~~ **MUST** include a statement
8 that as of the date of the affidavit, all statements, reports, late
9 filing fees, and fines required of the candidate or any candidate
10 committee organized to support the candidate's election under the
11 Michigan campaign finance act, 1976 PA 388, MCL 169.201 to 169.282,
12 have been filed or paid; and a statement that the candidate
13 acknowledges that making a false statement in the affidavit is
14 perjury, punishable by a fine up to \$1,000.00 or imprisonment for
15 up to 5 years, or both. If a candidate files the affidavit of
16 identity with an officer other than the county clerk or secretary
17 of state, the officer shall immediately forward to the county clerk
18 1 copy of the affidavit of identity by first-class mail. The county
19 clerk shall immediately forward 1 copy of the affidavit of identity
20 for state and federal candidates to the secretary of state by
21 first-class mail. An officer shall not certify to the board of
22 election commissioners the name of a candidate who fails to comply
23 with this section, **OR THE NAME OF A CANDIDATE WHO EXECUTES AN**
24 **AFFIDAVIT OF IDENTITY THAT CONTAINS A FALSE STATEMENT WITH REGARD**
25 **TO ANY INFORMATION OR STATEMENT REQUIRED UNDER THIS SECTION.**

26 (5) If petitions or filing fees are filed by or ~~in~~ **ON** behalf
27 of a candidate for more than 1 office, either federal, state,

1 county, city, village, township, metropolitan district, or school
 2 district, the terms of which run concurrently or overlap, the
 3 candidate so filing, or ~~in~~**ON** behalf of whom petitions or fees were
 4 so filed, shall select the 1 office to which his or her candidacy
 5 is restricted within 3 days after the last day for the filing of
 6 petitions or filing fees unless the petitions or filing fees are
 7 filed for 2 offices that are combined or for offices that are not
 8 incompatible. Failure to make the selection disqualifies a
 9 candidate with respect to each office for which petitions or fees
 10 were so filed and the name of the candidate ~~shall~~**MUST** not be
 11 printed upon the ballot for those offices. A vote cast for that
 12 candidate at the ensuing primary or general election ~~shall~~**MUST** not
 13 be counted and is void.

14 **(6) A VIOLATION OF THIS SECTION FOR PERJURY IS DISTINCT AND**
 15 **SEPARATE FROM ANY VIOLATION OF THE MICHIGAN CAMPAIGN FINANCE ACT,**
 16 **1976 PA 388, MCL 169.201 TO 169.282.**

17 Sec. 590h. (1) A qualifying petition for a candidate without
 18 political party affiliation ~~shall~~**MUST** be the same size and printed
 19 in the same type sizes as required in section 544c. The petition
 20 ~~shall~~**MUST** be in the following form:

21 QUALIFYING PETITION

22 (CANDIDATE WITHOUT PARTY AFFILIATION)

23 We, the undersigned, registered and qualified electors of the
 24 city or township of, in the county of,

25 (strike 1)

26 and state of Michigan, nominate,

27 (Name of Candidate)

1 ,
 2 (Street Address or R.R.) (City or Township)
 3 as a candidate without party affiliation for the office of
 4 in
 5 (Title of Office and District)
 6 order that the name of the candidate be placed without party
 7 affiliation on the ballot for the election to be held on
 8 the day of , 20.... .

10 WARNING

11 Whoever knowingly signs more petitions for the same office
 12 than there are persons to be elected to the office or signs a name
 13 other than his or her own is violating the Michigan election law.

14 (2) The balance of the qualifying petition form ~~shall~~**MUST** be
 15 substantially as set forth in section 544c. A qualifying petition
 16 for a candidate without party affiliation ~~shall~~**MUST** not contain a
 17 reference to a political party.

18 (3) ~~A person~~**AN INDIVIDUAL** shall not knowingly sign more
 19 petitions for the same office than there are persons to be elected
 20 to the office. ~~or sign a name other than his or her own on the~~
 21 ~~petition.~~**AN INDIVIDUAL WHO VIOLATES THIS SUBSECTION IS GUILTY OF A**
 22 **MISDEMEANOR.**

23 (4) **AN INDIVIDUAL SHALL NOT DO ANY OF THE FOLLOWING:**

24 (A) **SIGN A QUALIFYING PETITION WITH A NAME OTHER THAN HIS OR**
 25 **HER OWN.**

26 (B) **MAKE A FALSE STATEMENT IN A CERTIFICATE ON A QUALIFYING**
 27 **PETITION.**

1 (C) IF NOT A CIRCULATOR, SIGN A QUALIFYING PETITION AS A
2 CIRCULATOR.

3 (D) SIGN A NAME AS CIRCULATOR OTHER THAN HIS OR HER OWN.

4 (5) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (6), AN
5 INDIVIDUAL WHO VIOLATES SUBSECTION (4) IS GUILTY OF A MISDEMEANOR
6 PUNISHABLE BY A FINE OF NOT MORE THAN \$500.00 OR IMPRISONMENT FOR
7 NOT MORE THAN 93 DAYS, OR BOTH.

8 (6) AN INDIVIDUAL SHALL NOT SIGN A QUALIFYING PETITION WITH
9 MULTIPLE NAMES. AN INDIVIDUAL WHO VIOLATES THIS SUBSECTION IS
10 GUILTY OF A FELONY.

11 (7) IF AN INDIVIDUAL SIGNS A QUALIFYING PETITION IN VIOLATION
12 OF THIS SECTION, ANY SIGNATURE BY THAT INDIVIDUAL ON THE PETITION
13 IS INVALID AND MUST NOT BE COUNTED.

14 Sec. 685. (1) The name of a candidate of a new political party
15 must not be printed upon the official ballots of an election unless
16 the chairperson and secretary of the state central committee of the
17 party files with the secretary of state, not later than 4 p.m. of
18 the one hundred-tenth day before the general November election, a
19 certificate signed by the chairperson and secretary of the state
20 central committee bearing the name of the party, together with
21 petitions bearing the signatures of registered and qualified
22 electors equal to not less than 1% of the total number of votes
23 cast for all candidates for governor at the last election in which
24 a governor was elected. The petitions must be signed by at least
25 100 registered electors in each of at least 1/2 of the
26 congressional districts of this state. All signatures on the
27 petitions must be obtained not more than 180 days immediately

1 before the date of filing.

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

11 (3) The petitions must be in substantially the following form:

12 PETITION TO FORM NEW POLITICAL PARTY

13 We, the undersigned, duly registered electors of the
14 city, township of county of
15 (strike one)
16 state of Michigan, residing at the places set opposite our
17 names, respectfully request the secretary of state, in
18 accordance with section 685 of the Michigan election law,
19 1954 PA 116, MCL 168.685, to place the names of the
20 candidates of the party on the
21 ballot at the election.

22 Warning: A person who knowingly signs petitions to organize
23 more than 1 new state political party, signs a petition to organize
24 a new state political party more than once, or signs a name other
25 than his or her own is violating the provisions of the Michigan
26 election law.

27
28
29

1 (4) The balance of the petition form must be substantially as
2 set forth in section 544c. The size of all organizing petitions
3 must be 8-1/2 inches by 13 inches and must be printed in the
4 following type sizes: The words "petition to form new political
5 party" and the name of the proposed political party must be in 24-
6 point boldface type; the word "warning" and the language contained
7 in the warning must be in 12-point boldface type.

8 (5) Petitions circulated under this section may be circulated
9 on a countywide basis. A petition that is circulated countywide
10 must be on a form prescribed by the secretary of state.

11 (6) If the principal candidate of a political party receives a
12 vote equal to less than 1% of the total number of votes cast for
13 the successful candidate for the office of secretary of state at
14 the last preceding general November election in which a secretary
15 of state was elected, that political party shall not have the name
16 of any candidate printed on the ballots at the next ensuing general
17 November election, and a column must not be provided on the ballots
18 for that party. A disqualified party may again qualify and have the
19 names of its candidates printed in a separate party column on each
20 election ballot in the manner set forth in subsection (1) for the
21 qualification of new parties. As used in this subsection,
22 "principal candidate of a political party" means the candidate who
23 receives the greatest number of votes of all candidates of that
24 political party for that election.

25 (7) A political party that complied with this section is
26 subject to section 686a in order to have the name of that party and
27 its candidates appear on the general election ballot.

1 (8) ~~A person~~ **AN INDIVIDUAL** shall not knowingly sign a petition
 2 to organize more than 1 new state political party ~~—OR~~ sign a
 3 petition to organize a new state political party more than once. ~~—~~
 4 ~~or sign a name other than his or her own on the petition.~~ **AN**
 5 **INDIVIDUAL WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR.**

6 (9) **AN INDIVIDUAL SHALL NOT DO ANY OF THE FOLLOWING:**

7 (A) **SIGN A PETITION TO FORM A NEW POLITICAL PARTY WITH A NAME**
 8 **OTHER THAN HIS OR HER OWN.**

9 (B) **MAKE A FALSE STATEMENT IN A CERTIFICATE ON A PETITION TO**
 10 **FORM A NEW POLITICAL PARTY.**

11 (C) **IF NOT A CIRCULATOR, SIGN A PETITION TO FORM A NEW**
 12 **POLITICAL PARTY AS A CIRCULATOR.**

13 (D) **SIGN A NAME AS CIRCULATOR OTHER THAN HIS OR HER OWN.**

14 (10) **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (11), AN**
 15 **INDIVIDUAL WHO VIOLATES SUBSECTION (9) IS GUILTY OF A MISDEMEANOR**
 16 **PUNISHABLE BY A FINE OF NOT MORE THAN \$500.00 OR IMPRISONMENT FOR**
 17 **NOT MORE THAN 93 DAYS, OR BOTH.**

18 (11) **AN INDIVIDUAL SHALL NOT SIGN A PETITION TO FORM A NEW**
 19 **POLITICAL PARTY WITH MULTIPLE NAMES. AN INDIVIDUAL WHO VIOLATES**
 20 **THIS SUBSECTION IS GUILTY OF A FELONY.**

21 (12) **IF AN INDIVIDUAL SIGNS A PETITION TO FORM A NEW POLITICAL**
 22 **PARTY IN VIOLATION OF THIS SECTION, ANY SIGNATURE BY THAT**
 23 **INDIVIDUAL ON THE PETITION IS INVALID AND MUST NOT BE COUNTED.**

24 Sec. 954. (1) A recall petition ~~shall~~ **MUST** be signed by
 25 registered and qualified electors of the electoral district of the
 26 official whose recall is sought. Each signer of a recall petition
 27 shall affix his or her signature, address, and the date of signing.

1 ~~A person~~ **AN INDIVIDUAL** who signs a recall petition shall ~~shall~~ **MUST** be a
2 registered and qualified elector of the governmental subdivision
3 designated in the heading of the petition.

4 (2) **AN INDIVIDUAL SHALL NOT DO ANY OF THE FOLLOWING:**

5 (A) **SIGN A RECALL PETITION WITH A NAME OTHER THAN HIS OR HER**
6 **OWN.**

7 (B) **MAKE A FALSE STATEMENT IN A CERTIFICATE ON A RECALL**
8 **PETITION.**

9 (C) **IF NOT A CIRCULATOR, SIGN A RECALL PETITION AS A**
10 **CIRCULATOR.**

11 (D) **SIGN A NAME AS CIRCULATOR OTHER THAN HIS OR HER OWN.**

12 (3) **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4), AN**
13 **INDIVIDUAL WHO VIOLATES SUBSECTION (2) IS GUILTY OF A MISDEMEANOR**
14 **PUNISHABLE BY A FINE OF NOT MORE THAN \$500.00 OR IMPRISONMENT FOR**
15 **NOT MORE THAN 93 DAYS, OR BOTH.**

16 (4) **AN INDIVIDUAL SHALL NOT SIGN A RECALL PETITION WITH**
17 **MULTIPLE NAMES. AN INDIVIDUAL WHO VIOLATES THIS SUBSECTION IS**
18 **GUILTY OF A FELONY.**

19 (5) **IF AN INDIVIDUAL SIGNS A RECALL PETITION IN VIOLATION OF**
20 **THIS SECTION, ANY SIGNATURE BY THAT INDIVIDUAL ON THE PETITION IS**
21 **INVALID AND MUST NOT BE COUNTED.**