

HOUSE BILL NO. 5576

March 13, 2024, Introduced by Reps. Churches, Paiz, Tsernoglou, Neeley, Brenda Carter, Young, Conlin, Dievendorf, MacDonell, Byrnes, Hill, Rheingans, Andrews, Morgan, McKinney, Hood, Brabec, Price and Brixie and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 685 (MCL 168.685), as amended by 2018 PA 650.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 685. (1) The name of a candidate of a new political party
2 must not be printed ~~upon~~**on** the official ballots of an election
3 unless the chairperson and secretary of the state central committee
4 of the party files with the secretary of state, not later than 4
5 p.m. of the one hundred-tenth day before the general November

1 election, a certificate signed by the chairperson and secretary of
 2 the state central committee bearing the name of the party, together
 3 with petitions bearing the signatures of registered and qualified
 4 electors equal to not less than 1% of the total number of votes
 5 cast for all candidates for governor at the last election in which
 6 a governor was elected. The petitions must be signed by at least
 7 100 registered electors in each of at least 1/2 of the
 8 congressional districts of this state. All signatures on the
 9 petitions must be obtained not more than 180 days immediately
 10 before the date of filing.

11 (2) After the date on which a petition is filed, the secretary
 12 of state ~~shall~~**must** not accept additional petition sheets for that
 13 petition. ~~The~~**Subject to this subsection, the** validity and
 14 authenticity of the signatures may be determined in the same manner
 15 as provided for initiative and referendum petitions in section 9 of
 16 article II of the state constitution of 1963. **The board of state**
 17 **canvassers may use a statistical random sampling methodology, as**
 18 **approved by the board of state canvassers, to determine the**
 19 **validity and sufficiency of signatures and petition form**
 20 **requirements on petitions to form a new political party filed under**
 21 **this section.** An official declaration of the sufficiency or
 22 insufficiency of a petition filed under this section must be made
 23 by the board of state canvassers not later than 60 days before the
 24 general November election.

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

26 PETITION TO FORM NEW POLITICAL PARTY

27 We, the undersigned, duly registered electors of the
 28 city, township of county of
 29 (strike one)

1 state of Michigan, residing at the places set opposite our names,
2 respectfully request the secretary of state, in accordance with
3 section 685 of the Michigan election law, 1954 PA 116, MCL 168.685,
4 to place the names of the candidates of the
5 party on the ballot at the election.

6 Warning: ~~A person~~ **An individual** who knowingly signs petitions
7 to organize more than 1 new state political party, signs a petition
8 to organize a new state political party more than once, or signs a
9 name other than ~~his or her~~ **the individual's** own is violating the
10 provisions of the Michigan election law.

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

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

24 (6) If the principal candidate of a political party receives a
25 vote equal to less than 1% of the total number of votes cast for
26 the successful candidate for the office of secretary of state at
27 the last preceding general November election in which a secretary
28 of state was elected, that political party ~~shall~~ **must** not have the
29 name of any candidate printed on the ballots at the next ensuing

1 general November election, and a column must not be provided on the
2 ballots for that party. A disqualified party may again qualify and
3 have the names of ~~its~~**the party's** candidates printed in a separate
4 party column on each election ballot in the manner set forth in
5 subsection (1) for the qualification of new parties. As used in
6 this subsection, "principal candidate of a political party" means
7 the candidate who receives the greatest number of votes of all
8 candidates 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 and
11 ~~its~~**the party's** candidates appear on the general election ballot.

12 (8) An individual ~~shall~~**must** not knowingly sign a petition to
13 organize more than 1 new state political party or sign a petition
14 to organize a new state political party more than once. An
15 individual who violates this subsection is guilty of a misdemeanor.

16 (9) An individual ~~shall~~**must** not do any of the following:

17 (a) Sign a petition to form a new political party with a name
18 other than ~~his or her~~**the individual's** own.

19 (b) Make a false statement in a certificate on a petition to
20 form a new political party.

21 (c) If not a circulator, sign a petition to form a new
22 political party as a circulator.

23 (d) Sign a name as circulator other than ~~his or her~~**the**
24 **circulator's** own.

25 (10) Except as otherwise provided in subsection (11), an
26 individual who violates subsection (9) is guilty of a misdemeanor
27 punishable by a fine of not more than \$500.00 or imprisonment for
28 not more than 93 days, or both.

29 (11) An individual ~~shall~~**must** not sign a petition to form a

1 new political party with multiple names. An individual who violates
2 this subsection is guilty of a felony.

3 (12) If an individual signs a petition to form a new political
4 party in violation of this section, any signature by that
5 individual on the petition is invalid and must not be counted.

6 Enacting section 1. This amendatory act does not take effect
7 unless all of the following bills of the 102nd Legislature are
8 enacted into law:

9 (a) Senate Bill No. ____ or House Bill No. 5573 (request no.
10 05697'24).

11 (b) Senate Bill No. ____ or House Bill No. 5571 (request no.
12 05699'24).

13 (c) Senate Bill No. ____ or House Bill No. 5572 (request no.
14 05700'24).