168.644f Nominating petitions; filing; signatures; omission of nonpartisan petition requirement in law or charter; filing deadline; adjustment; city subject to subsections (4) and (5); city subject to subsection (7); civil fine; payment.

Sec. 644f.

(1) Except as provided in this section and section 644e, nominating petitions for offices to be filled at the odd year general election must be filed by 4 p.m. on the fifteenth Tuesday before the odd year primary election. The place of filing and the number of signatures must be the same as is now required by law for those offices.

(2) If a nonpartisan petition requirement is not contained in law or charter, the minimum number of signatures is the amount as provided for in section 544f.

(3) If, upon the expiration of the time for filing nonpartisan petitions, not more than twice the number of candidates as there are persons to be elected to that office have filed, the primary for that office must not be held and those persons filing valid petitions are declared the nominees for the offices, unless a city charter provides otherwise for city offices.

(4) Until December 31, 2017, the nominating petition filing deadline for candidates for city offices may be adjusted as provided in subsection (5) if all of the following occur:

(a) The city clerk publishes a nominating petition filing deadline that is different than the fifteenth Tuesday before the odd year primary election or the odd year general election and the nominating petition filing deadline published by the city clerk is after the fifteenth Tuesday but no later than the eleventh Tuesday before the applicable odd year primary election or the odd year general election.

(b) The city clerk did not publicly correct the filing deadline error at least 2 weeks before the fifteenth Tuesday before the odd year primary election or the odd year general election.

(c) One or more candidates for city offices in that city relied upon the incorrect nominating petition filing deadline, failed to file nominating petitions by the fifteenth Tuesday before the odd year primary election or the odd year general election, and filed nominating petitions by the filing deadline published by the city clerk that are determined by the city clerk to contain a sufficient number of valid signatures.

(5) If the bureau of elections confirms that all of the conditions set forth in subsection (4) are met, the bureau of elections may authorize the city clerk to adjust the nominating petition filing deadline for that odd year primary election or that odd year general election from the fifteenth Tuesday before the odd year primary election or the odd year general election to the incorrectly published nominating petition filing deadline.

(6) A city that is subject to subsections (4) and (5) before December 31, 2015 is subject to all of the following:

(a) Until December 31, 2017, the city clerk of that city shall attend at least once annually an election training school conducted by the director of elections as provided in section 33.

(b) Until December 31, 2017, the city clerk shall submit nominating petitions to the secretary of state for final approval as to form before being circulated for signatures and shall submit any election filing deadline calendars and any correspondence relating to those calendars to the secretary of state before being provided to the public.

(c) The secretary of state shall conduct a postelection audit after each November election held in the city in 2015, 2016, and 2017.

(d) Notwithstanding section 683, beginning January 1, 2016 and until December 31, 2017, those acting as precinct election inspectors at any August or November election held in the city shall attend a preelection training school for election inspectors conducted by the county clerk of the county in which the city is located.

(7) A city that first becomes subject to subsections (4) and (5) between January 1, 2017 and December 31, 2017 is subject to all of the following:

(a) Until December 31, 2019, the city clerk of that city shall attend at least once annually an election training school conducted by the director of elections as provided in section 33.

(b) Until December 31, 2019, the city clerk shall submit nominating petitions to the secretary of state for final approval as to form before being circulated for signatures and shall submit any election filing deadline calendars and any correspondence relating to those calendars to the secretary of state before being provided to the public.

(c) The secretary of state shall conduct a postelection audit after each November election held in the city in 2017, 2018, and 2019.

(d) The secretary of state shall conduct an administrative audit of the city clerk's elections operations and shall report the results of that administrative audit to the house and senate committees dealing with elections no later than February 28, 2018.

(e) Until August 31, 2018, the secretary of state shall conduct preelection precinct election inspector training for those acting as precinct election inspectors at any August or November election held in the city.

(f) Notwithstanding section 683, beginning September 1, 2018 and until December 31, 2019, those acting as

precinct election inspectors at any August or November election held in the city shall attend a preelection training school for election inspectors conducted by the county clerk of the county in which the city is located.

(8) For a city that first becomes subject to subsections (4) and (5) between January 1, 2017 and December 31, 2017, the secretary of state shall direct the city clerk to place all eligible candidates who properly filed sufficient nominating petitions by the eleventh Tuesday before the applicable odd year primary election or the odd year general election on the odd year general election ballot.

(9) A city that is subject to subsection (7) is subject to a civil fine of $2,500.00.

(10) Beginning January 1, 2018, A city is subject to a civil fine of $5,000.00 if all of the following occur:

(a) The city clerk publishes a nominating petition filing deadline that is different than the fifteenth Tuesday before the odd year primary election or the odd year general election and the nominating petition filing deadline published by the city clerk is after the fifteenth Tuesday but not later than the eleventh Tuesday before the odd year primary election or the odd year general election.

(b) The city clerk does not publicly correct the filing deadline error at least 2 weeks before the fifteenth Tuesday before the odd year primary election or the odd year general election.

(c) One or more candidates for city offices in that city rely upon the incorrect nominating petition filing deadline, fail to file nominating petitions by the fifteenth Tuesday before the odd year primary election or the odd year general election, and file nominating petitions by the filing deadline published by the city clerk that are determined by the city clerk to contain a sufficient number of valid signatures.

(11) A civil fine collected under subsection (9) or (10) must be paid to the state treasury and credited to the department of state for enforcement of this section.