

**SUBSTITUTE FOR
HOUSE BILL NO. 4588**

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 303, 534, 697, and 699 (MCL 168.303, 168.534,
168.697, and 168.699), section 303 as amended by 2018 PA 650,
section 534 as amended by 2018 PA 224, section 697 as amended by
2018 PA 226, and section 699 as amended by 2012 PA 523.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 303. (1) Subject to subsection (8), for an individual's
2 name to appear on the official ballot as a candidate for school
3 board member **of a school district other than a local school**
4 **district**, the candidate shall file a nominating petition and the
5 affidavit required ~~by~~**under** section 558 with the school district
6 filing official not later than 4 p.m. on the fifteenth Tuesday



1 before the election date. **Subject to subsection (8), for an**
2 **individual's name to appear under a particular political party**
3 **heading on the official primary ballot as a candidate for school**
4 **board member of a local school district, the candidate shall file a**
5 **nominating petition and the affidavit required under section 558**
6 **with the school district filing official not later than 4 p.m. on**
7 **the fifteenth Tuesday before the August primary.** The nominating
8 petition must be signed by the following number of electors of the
9 school district:

10 (a) If the population of the school district is less than
11 10,000, ~~according to the most recent federal census,~~ a minimum of 6
12 and a maximum of 20.

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

16 (2) ~~The Subject to this subsection, the~~ nominating petition
17 **for a candidate for school board member of a local school district**
18 must be **partisan and be** substantially in the form prescribed in
19 section 544c. ~~, except that the petition Subject to this~~
20 **subsection, the nominating petition for a candidate for school**
21 **board member of a school district other than a local school**
22 **district must be nonpartisan and otherwise be substantially in the**
23 **form prescribed in section 544c. A nominating petition under this**
24 **subsection must include the following opening paragraph, and, for a**
25 **candidate for school board member of a local school district, must**
26 **also include the phrase "and candidate of the _____ party"**
27 **following "a registered and qualified elector of the district" in**
28 **the following opening paragraph:**

29 We, the undersigned, registered and qualified ~~voters~~ **electors**



1 of _____
 2 **(legal name of school district)**
 3 and residents of the _____, the
 4 ~~(legal name of school district)~~ **(city or township)**
 5 county of _____, state of Michigan,
 6 ~~(city or township)~~
 7 nominate _____
 8 (name of candidate)
 9 _____,
 10 (street address) (city or township)
 11 a registered and qualified elector of the district as a member of
 12 the board of education of the school district for a term of _____
 13 years, expiring _____, to be voted for at the election to be held
 14 on the _____ day of _____, _____.
 15 (month) (year)

16 (3) An individual shall not knowingly sign more nominating
 17 petitions for the same office than there are ~~persons~~ **individuals** to
 18 be elected to the office. An individual who violates this
 19 subsection is guilty of a misdemeanor.

20 (4) An individual shall not do any of the following:

21 (a) Sign a nominating petition with a name other than ~~his or~~
 22 ~~her~~ **the individual's own name.**

23 (b) Make a false statement in a certificate on a nominating
 24 petition.

25 (c) If not a circulator, sign a nominating petition as a
 26 circulator.

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

29 (5) Except as otherwise provided in subsection (6), an



1 individual who violates subsection (4) is guilty of a misdemeanor
2 punishable by a fine of not more than \$500.00, ~~or~~ imprisonment for
3 not more than 93 days, or both.

4 (6) An individual shall not sign a nominating petition with
5 multiple names. An individual who violates this subsection is
6 guilty of a felony.

7 (7) If an individual signs a nominating petition in violation
8 of this section, any signature by that individual on the petition
9 is invalid and must not be counted.

10 (8) Instead of filing nominating petitions, a candidate for
11 school board member may pay a nonrefundable filing fee of \$100.00
12 to the school district filing official. If this **filing** fee is paid
13 by the due date for a nominating petition, the payment has the same
14 effect under this section as the filing of a nominating petition.

15 (9) A nominating petition filed under this chapter is subject
16 to the examination and investigation process prescribed in section
17 552 as to ~~its~~ **the nominating petition's** sufficiency and the
18 validity and genuineness of the signatures on the nominating
19 petition, and to the other procedures prescribed in that section
20 relevant to a **nominating** petition filed under this chapter.

21 (10) After a nominating petition is filed or filing fee is
22 paid for a candidate for school board member, the candidate is not
23 permitted to withdraw unless a written withdrawal notice, signed by
24 the candidate, is filed with the school district filing official
25 not later than 4 p.m. of the third day after the last day for
26 filing the nominating petition. If the school district filing
27 official is not a county clerk, the school district filing official
28 shall notify the county clerk of the candidates' names and
29 addresses not later than 3 days after the last day for filing a



1 withdrawal notice.

2 (11) As used in this section, "local school district" means
3 that term as defined in section 6 of the revised school code, 1976
4 PA 451, MCL 380.6.

5 Sec. 534. A general primary of all political parties except as
6 provided in sections 532 and 685 must be held in every election
7 precinct in this state on the Tuesday after the first Monday in
8 August before every general November election, at which time the
9 qualified and registered voters of each political party may vote
10 for party candidates for the office of governor, United States
11 Senator, Representative in Congress, state senator, representative
12 in the legislature, county executive, prosecuting attorney,
13 sheriff, county clerk, county treasurer, register of deeds, drain
14 commissioner, public works commissioner, county road commissioner,
15 county mine inspector, surveyor, ~~and~~ candidates for office in
16 townships, **and candidates for school board member of a local school**
17 **district.** A nomination for an office must be made only if the
18 official is to be elected at the next succeeding general November
19 election.

20 Sec. 697. At the general November election, the names of the
21 several offices to be voted for must be placed on the ballot
22 substantially in the following order in the years in which
23 elections for those offices are held: Electors of President and
24 Vice President of the United States; governor and lieutenant
25 governor; secretary of state; attorney general; United States
26 Senator; Representative in Congress; senator and representative in
27 the state legislature; members of the state board of education;
28 regents of the University of Michigan; trustees of Michigan State
29 University; governors of Wayne State University; county executive;



1 prosecuting attorney; sheriff; clerk; treasurer; register of deeds;
 2 mine inspector in counties electing a mine inspector; county road
 3 commissioners; drain commissioners; ~~coroners;~~ and surveyor. The
 4 following township officers must be placed on the same ballot as
 5 above described in substantially the following order in the year in
 6 which elections for those offices are held: supervisor, clerk,
 7 treasurer, trustees, and constables. **In addition, the office of**
 8 **local school district board member must be placed on the same**
 9 **ballot as above in the year in which an election for that office is**
 10 **held.**

11 Sec. 699. At any regular election, the names of the several
 12 nonpartisan offices to be voted for ~~shall~~**must** be placed on a
 13 separate portion of the ballot containing no party designation in
 14 the following order: justices of the supreme court, judges of the
 15 court of appeals, judges of the circuit court, judges of the
 16 probate court, judges of the district court, community college
 17 board of trustees member, intermediate school district board
 18 member, city officers, the following village officers in
 19 substantially the following order in the year in which elections
 20 for the offices are held: president, clerk, treasurer, and
 21 trustees, and in a year in which an election for the office is
 22 held, ~~local school district board member,~~ metropolitan district
 23 officer ~~,~~ and district library board member.