



HOUSE BILL No. 4762

May 2, 1995, Introduced by Reps. Kaza, Bobier, Jersevic, Freeman, Lowe, Voorhees and Weeks and referred to the Committee on Local Government.

A bill to amend sections 590b and 685 of Act No. 116 of the Public Acts of 1954, entitled as amended

"Michigan election law,"

as amended by Act No. 329 of the Public Acts of 1990, being sections 168.590b and 168.685 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 590b and 685 of Act No. 116 of the
2 Public Acts of 1954, as amended by Act No. 329 of the Public Acts
3 of 1990, being sections 168.590b and 168.685 of the Michigan
4 Compiled Laws, are amended to read as follows:

5 Sec. 590b. (1) Except as provided in subsection (2) and
6 subject to the requirements prescribed in subsections (3) and
7 (4), a qualifying petition for an office shall be signed by a
8 number of qualified and registered electors of the district that
9 is represented by the office being sought by the candidate equal

1 to not less than ~~2%~~ 1% of the total number of votes cast for
2 all candidates for governor in the district at the last election
3 in which a governor was elected. In any case, at least ~~15~~ 8
4 signatures shall be submitted.

5 (2) Subject to the requirements of subsections (3) and (4),
6 ~~if~~ a qualifying petition ~~is~~ for a statewide elective office
7 ~~, the qualifying petition~~ shall be signed by a number of quali-
8 fied and registered electors of this state equal to not less than
9 ~~1%~~ 1/2% of the total number of votes cast for all candidates
10 for governor at the last election in which a governor was
11 elected.

12 (3) All signatures on a qualifying petition shall be
13 obtained not more than 180 days immediately before the date of
14 filing under section 590c.

15 (4) As part of the minimum number of required signatures
16 under this section, a qualifying petition for the office of pres-
17 ident of the United States, United States senator, governor,
18 attorney general, secretary of state, state board of education,
19 board of regents of the university of Michigan, board of trustees
20 of Michigan state university, board of governors of Wayne state
21 university, or justice of the supreme court shall be signed by at
22 least ~~100~~ 50 registered electors in each of at least 1/2 of the
23 congressional districts of the state.

24 Sec. 685. (1) The name of a candidate of a new political
25 party shall not be printed upon the official ballots of an elec-
26 tion unless the chairperson and secretary of the state central
27 committee of the party files with the secretary of state, not

1 later than 4 p.m. of the one hundred-tenth day before the general
 2 November election, a certificate signed by the chairperson and
 3 secretary of the state central committee bearing the name of the
 4 party, together with petitions bearing the signatures of regis-
 5 tered and qualified electors equal to not less than ~~1%~~ 1/2% of
 6 the total number of votes cast for all candidates for governor at
 7 the last election in which a governor was elected. The petitions
 8 shall be signed by at least ~~100~~ 50 registered electors in each
 9 of at least 1/2 of the congressional districts of the state. All
 10 signatures on the petitions shall be obtained not more than 180
 11 days immediately preceding the date of filing.

12 (2) After the date on which a petition is filed, the secre-
 13 tary of state shall not accept additional petition sheets for
 14 that petition. The validity and authenticity of the signatures
 15 may be determined in the same manner as provided for initiatory
 16 and referendary petitions in section 9 of article II of the state
 17 constitution of 1963. An official declaration of the sufficiency
 18 or insufficiency of a petition filed under this section shall be
 19 made by the board of state canvassers not later than 60 days
 20 before the general November election.

21 (3) The petitions shall be in substantially the following
 22 form:

23 PETITION TO FORM NEW POLITICAL PARTY

24 We, the undersigned, duly registered electors of the
 25 city, township of county of
 26

1 (strike one)

2 state of Michigan, residing at the places set opposite our names,
 3 respectfully request the secretary of state, in accordance with sec-
 4 tion 685 of the Michigan election law, Act No. 116 of the Public Acts
 5 of 1954, ~~as amended,~~ being section 168.685 of the Michigan Compiled
 6 Laws, to receive the certificate and vignette tendered with this
 7 petition, and place the names of the candidates of the
 8 party on the ballot at the election.

9 Warning: A person who knowingly signs petitions to organize
 10 more than 1 new state political party, signs a petition to orga-
 11 nize a new state political party more than once, or signs a name
 12 other than his or her own is violating the provisions of the
 13 Michigan election law.

14
 15
 16
 17 (4) The balance of the petition form shall be substantially

18 as set forth in section 544c. The size of all organizing peti-
 19 tions shall be 8-1/2 inches by 13 inches and shall be printed in
 20 the following type sizes: The words "petition to form new polit-
 21 ical party" and the name of the proposed political party shall be
 22 in 24-point boldface type; the word "warning" and the language
 23 contained in the warning shall be in 12-point boldface type.

24 (5) Petitions circulated under this section may be circu-
 25 lated on a countywide basis. A petition that is circulated coun-
 26 tywide shall be on a form prescribed by the secretary of state.

27 (6) If the principal candidate of a political party receives
 28 a vote equal to less than ~~1/2~~ 1/2% of the total number of votes
 29 cast for the successful candidate for the office of secretary of

1 state at the last preceding general November election in which a
2 secretary of state was elected, that political party shall not
3 have the name of any candidate printed on the ballots at the next
4 ensuing general November election, and a column shall not be pro-
5 vided on the ballots for that party. A disqualified party may
6 again qualify and have the names of its candidates printed in a
7 separate party column on each election ballot in the manner set
8 forth in subsection (1) for the qualification of new parties.
9 The term "principal candidate" of any party means the candidate
10 whose name appears nearest the top of the party column.

11 (7) A political party that complied with this section is
12 subject to section 686a in order to have the name of that party,
13 its vignette, and its candidates appear on the general election
14 ballot.

15 (8) A person shall not knowingly sign a petition to organize
16 more than 1 new state political party, sign a petition to orga-
17 nize a new state political party more than once, or sign a name
18 other than his or her own on the petition.