



# **Election Officials Manual**

## **Chapter 3: Candidate Filings and Financial Disclosure Requirements**

July 2024

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# I. Introduction

This chapter explains the required filings for candidates who wish to appear on the ballot. It also outlines the campaign finance responsibilities and personal finance disclosure requirements of candidates before, during, and after the election. Questions regarding candidate filing of office and petitions should be directed to [File-Canvass@Michigan.gov](mailto:File-Canvass@Michigan.gov). Campaign finance questions should be directed to [MDOS-CampaignFinance@Michigan.gov](mailto:MDOS-CampaignFinance@Michigan.gov). Questions regarding the personal finance disclosure requirements for statewide candidates should be directed to [MDOS-FinancialDisclosure@Michigan.gov](mailto:MDOS-FinancialDisclosure@Michigan.gov).

## Ballot access requirements

Ballot access requirements govern the actions a candidate must take for their name to appear on the ballot. Generally, a candidate may secure access to the ballot if the candidate files an *Affidavit of Identity* and any required filing fees, petitions bearing a sufficient number of valid signatures, or Certificate of Acceptance (for major or minor party nominations). Ballot access materials must be filed with the appropriate filing official; only the appropriate filing official or their staff may accept ballot access filings.

Generally, candidates must be “qualified and registered” electors in the jurisdiction in which they are filing for office. Some elected offices are established by city charter or other statutes beyond the purview of Michigan election law; ballot access for those offices is not addressed in this chapter. Information on ballot access requirements for those positions is included in the statute or city charter establishing the position.

## Campaign finance requirements

In addition to submitting any required forms, signatures, or fees to ensure ballot access, candidates must also comply with the state’s campaign finance framework set out in the Michigan Campaign Finance Act. Candidates are required to file a *Statement of Organization* to establish a candidate committee and subsequent regularly scheduled campaign statements detailing the committee’s contributions and expenditures. More information on campaign finance requirements for candidates is available on the Michigan Secretary of State’s website.



Only county clerks and the Secretary of State are authorized to accept and process campaign finance forms. A clerk for a city or township may not accept a *Statement of Organization* or a required campaign finance statement.

## II. Candidate filing requirements

To appear on an election ballot in a partisan primary, most candidates for elected office must submit an *Affidavit of Identity* and either collect the requisite number of valid signatures on a nominating petition or pay a filing fee. Judicial candidates must submit either the Incumbent Judicial Affidavit of Identity and Affidavit of Candidacy or the Non-incumbent Judicial Affidavit of Identity and Affidavit of Constitutional Qualification.

### Identifying the proper filing official

The filing official who may accept a candidate's ballot access requirement depends on the office sought by the candidate:

- **Secretary of State:** Governor, Lieutenant Governor, Attorney General, Secretary of State, United States Senate, State Board of Education, University of Michigan Board of Regents, Michigan State University Board of Trustees, Wayne State Board of Governors, Michigan Supreme Court Justice, Court of Appeals Judge, Circuit Judge, District Judge, and Probate District Judge. Additionally, the Secretary of State is the filing official for a candidate for the United States House of Representatives, Michigan State Senate, or Michigan House of Representatives if the district in which the candidate is seeking office crosses county lines.
- **County clerk:** Countywide offices, County Commissioner, Probate Judge, and Precinct Delegate. Additionally, the county clerk is the filing official for a candidate for the United States House of Representatives, Michigan State Senate, or Michigan House of Representatives if the district in which the candidate is seeking office is fully contained within the clerk's county.
- **City clerk:** City offices, including Mayor, City Clerk, City Council, and other offices provided for in the city charter.
- **Township clerk:** Township Supervisor, Township Clerk, Township Treasurer, Township Constable, Township Trustees, Township Library



Board, and the offices of any village contained primarily within the township.

The filing official for school board, intermediate school board, district library board, and library board positions depends on whether the school or library district is fully contained within a single city or township or if the district crosses city or township lines. A candidate should contact their county clerk to determine the proper filing official for a particular school board, intermediate school board, district library board, or library board position.

## **Complete filing requirement**

A candidate who wishes to appear on the ballot must submit a complete filing to the appropriate filing official by the statutory deadline. A complete filing is both a completed and accurate *Affidavit of Identity* as well as any required filing fees or petitions bearing sufficient signatures. All required materials must be submitted by the statutory deadline. A candidate who does not submit required documents, signatures, and/or fees prior to the statutory deadline will not be eligible to appear on the ballot.

A complete filing is received by the clerk when every component of the filing is in the clerk's physical possession. A filing may be delivered by someone other than the candidate if the filing is complete, accurate, and signed by the candidate with a notary witness. A filing that is mailed before the deadline but not received by the deadline, or otherwise transmitted before the deadline but not received by the filing official by the deadline, is not considered to have been timely submitted. A candidate whose documents are not timely submitted is not eligible to appear on the ballot.

## **Filing receipt**

The filing official should issue a filing receipt to any candidate submitting a filing. The receipt must be signed by the official who received the filing and must include the following information:

- Date and time that the filing was received.
- Number of petition sheets received.
- If a filing fee was paid in lieu of petitions, the amount of the filing fee and the method of payment.



## Withdrawal deadline

Once the filing deadline has passed, candidates have until 4 p.m. on the third day following the filing deadline to formally withdraw their name as a candidate. All withdrawals must be submitted in writing. The request must be signed by the candidate. If a withdrawal is received by the withdrawal deadline, the original filing documents are retained until January 1 following the election for which they were filed.

## Public availability of candidate filings

The contents of all filings made by a candidate to appear on the ballot are public records. Filing officials are required to cooperate with all reasonable requests to inspect the filings, even if the request is made prior to the filing official's verification of submitted signatures. Filing officials may decline a request to view a filing if the request would significantly inhibit the filing official's ability to process any part of the filing in a timely fashion. Additionally, filing officials should redact any protected personal information from the filing, like a candidate's day and month of birth, phone number, and email address, before allowing the filing to be viewed.

# III. The Affidavit of Identity

Candidates for non-judicial offices are required to submit an *Affidavit of Identity*. The candidate must submit two original copies, or an original and a photocopy, of the signed, notarized, and completed *Affidavit of Identity* when filing for the ballot. When submitting a completed *Affidavit of Identity*, the candidate affirms under penalty of perjury that, at the time the affidavit was signed, the candidate has filed all campaign finance statements required of the candidate related to their current candidacy or any prior candidacy for office. The candidate also affirms by signing the *Affidavit of Identity* that, at the time the affidavit was signed and under penalty of perjury, the candidate has paid all late fees or fines that might have accrued due to a failure to file timely campaign statements during the candidate's current candidacy or any prior candidacy for office. The *Affidavit of Identity* form is provided by the Bureau of Elections on our website [Michigan.gov/Elections](https://Michigan.gov/Elections). It is highly recommended that candidates use the *Affidavit of Identity* form on this site; a direct link is available on the [Secretary of State's election page](#).

A candidate who fails to file a signed, notarized, and completed *Affidavit of Identity* cannot appear on the ballot. A candidate who makes a false





statement on the completed *Affidavit of Identity* cannot appear on the ballot. A candidate who falsely represents that they have satisfied all outstanding campaign finance obligations or falsely represents that they have paid all outstanding campaign finance-related fines or fees cannot appear on the ballot.

Missing, omitted or incorrect information can be corrected prior to the filing deadline, however, a candidate who provides a false statement regarding campaign finance compliance, cannot resubmit the affidavit of identity to cure the defect.

## **Name changes and the Affidavit of Identity**

If the candidate is not using the name which they were given at birth, the candidate must include their full former name on the *Affidavit of Identity*, unless the candidate meets any of the following exceptions:

- The candidate's name was changed because of marriage.
- The candidate is divorced, and the candidate's name was changed from their married name to their prior legal name.
- The candidate's name was legally changed 10 or more years before the affidavit is filed.
- The candidate is a naturalized citizen, the candidate was naturalized 10 or more years before the affidavit was filed, and their name was changed on a certificate of naturalization.
- The candidate is using a name that constitutes a common law name as provided in MCL 168.560b. For more information on common law names, please contact the Bureau of Elections at [Elections@Michigan.gov](mailto:Elections@Michigan.gov).

## **Precinct delegate candidates**

The Bureau of Elections has developed a special *Affidavit of Identity* for use by precinct delegate candidates. A copy can be accessed online by visiting [Michigan.gov/sos/Elections/Ballot-Access](https://Michigan.gov/sos/Elections/Ballot-Access). A precinct delegate candidate may use the standard *Affidavit of Identity* form instead of the special form.

## **Forwarding requirements for Affidavits of Identity**

Candidates must file their notarized, signed, and completed *Affidavit of Identity* with the appropriate filing official. If the filing official is a city or



township clerk, the filing official must email, fax, or mail a copy of the affidavit to the county clerk for the county in which the filing official's jurisdiction is located. If a county clerk receives an affidavit submitted by a candidate seeking election as a U.S. Representative in Congress, State Representative, State Senator, or Probate Court Judge, the county clerk must forward a copy of the affidavit to MDOS-File-Canvass@Michigan.gov.

## IV. Determining the sufficiency of an Affidavit of Identity

The contents of the *Affidavit of Identity* are heavily regulated by state law. If the *Affidavit of Identity* is filed in person, the filing official should inspect the affidavit for accuracy while the candidate is still present so that the official may immediately alert the candidate of any errors or omissions that must be remedied before it is filed and accepted. Errors or omissions on the affidavit may result in the candidate being denied access to the ballot.

The filing official should verify that following elements are present and complete to determine the validity of an *Affidavit of Identity*:

- **Candidate information:** This section must contain the full legal name, and address at which the candidate is registered to vote. For more information on the legal name requirement, refer to the *Name Change and Affidavit of Identity* section.
- **Additional information:** Candidates should include their phone number, email address, and mailing address if different than their residential address. If a candidate does not have an email address or a mailing address, they may leave those sections blank.
- **Office sought/ballot information:** This section must include the following information:
  - The title of the office sought, including the jurisdiction, district, circuit, ward, or precinct number if applicable.
  - The political party, if the office sought is elected through a partisan election. If the candidate is running with no political affiliation in a partisan election, or if the office sought is nonpartisan, the appropriate box should be marked.



- The date of the primary or general election for which the candidate wishes to appear on the ballot. For a position where nominations are made by primary election and the office is filled by a general election, the candidate need only include the date of the primary election.
  - The term of office sought.
  - The exact manner in which the candidate wishes their name to appear on the ballot. This section may not include a nickname which is not a direct diminutive of the candidate's given name and may not include quotations or parentheses.
  - If a candidate seeks judicial office, the candidate must indicate if the office is an incumbent position, a nonincumbent position, or a new judgeship. For more information on determining the status of a judicial office, refer to the [Judicial Elective Office Manual](#) on the Secretary of State's ballot access page.
- **Filing method:** The candidate should indicate what documents and/or filing fees are included with this filing.
  - **Statements and attestation:** Candidates must confirm that they are United States citizens, that they meet any other statutory or constitutional requirements to hold the office sought, and that they have no outstanding reporting obligations or fines and fees accrued under the Michigan Campaign Finance Act. Candidates must sign this section, and that signature must be notarized. By signing the affidavit, the candidate attests to the accuracy of the information provided and acknowledges that making false statement on the *Affidavit of Identity* is perjury - a felony punishable by a fine up to \$1,000 or imprisonment for up to five years or both.
  - **Notarization:** This section must include the notary's signature, printed name, county of commission, commission expiration date, and the date the affidavit was notarized. If any of these items are missing, a new affidavit must be completed. The date of notarization must match the date the candidate signed the affidavit.

If an *Affidavit of Identity* is reviewed outside of the presence of the candidate and errors or omissions are identified, the filing official may notify the candidate of the error or omission and the process for curing that error or omission using the contact information provided on the affidavit. In



addition to a phone call, or if a phone number is not provided, the filing official may also send an email to the email address provided by the candidate or use any other method at the filing official's disposal to contact the candidate.

## **Curing omissions on the Affidavit of Identity**

If a filing official determines that an *Affidavit of Identity* has omitted required information, the official should notify the candidate. Because the *Affidavit of Identity* must be notarized, a candidate may not cure omissions by altering the submitted affidavit at the filing official's office. Instead, the candidate must complete a new form that is then notarized. The new affidavit must be submitted to the filing official by the statutory deadline or the candidate will not be placed on the ballot.

## **Curing errors on the Affidavit of Identity**

If a filing official determines that an *Affidavit of Identity* has incorrectly stated required information, the official should notify the candidate. Whether the candidate will be able to cure the error depends on the type of error. A candidate who makes a false statement applying to their MCFA obligations on an *Affidavit of Identity* cannot correct that false statement and is barred from seeking office in the election for which the *Affidavit of Identity* was submitted.

A candidate who makes an error on the factual portions of the *Affidavit of Identity* – for example, the date of the election or the district number of the office to which the candidate seeks election – may remedy those errors before the filing deadline. Because the *Affidavit of Identity* must be notarized, a candidate may not cure errors by altering the submitted affidavit at the filing official's office. Instead, the candidate must complete a new form that is then notarized. In either case, the new affidavit must be submitted to the filing official by the statutory deadline or the candidate will not be placed on the ballot.

# **V. Nominating petitions and filing fees**

In addition to filing an *Affidavit of Identity*, some candidates wishing to appear on the primary ballot must also file completed *Partisan Nominating Petitions* if



running for a partisan nomination, or *Nonpartisan Nominating Petitions* if running for a nonpartisan nomination. In both cases, the petition must bear the requisite number of valid signatures.

## **Candidates without political party affiliation who seek a partisan office**

A candidate who is not affiliated with a political party who seeks a partisan office and who wishes to appear on the ballot during the general election must file a *Qualifying Petition* with the requisite number of valid signatures.

Candidates without political party affiliation who seek a partisan office cannot appear on the primary ballot.

## **Petition type**

All candidate nominating petition sheets must be in the form required by Michigan election law. Petition sheets are available from county and local clerks. The clerk is obligated to provide a reasonable number of petition sheets upon request at no charge. Candidates can also purchase petition sheets from commercial suppliers that produce election materials.

The type of petition sheets that clerks must supply to candidates differ depending on the kind of races for which the clerk serves as the filing official. If the clerk is the filing official for any partisan races, the clerk must stock **both** *Partisan Nominating Petition* sheets and *Qualifying Petition* sheets, as a candidate is entitled to attempt to appear on the ballot with or without party affiliation. If the clerk is the filing official for any nonpartisan races, the clerk must stock *Nonpartisan Nominating Petition* sheets. If the clerk is the filing official for both partisan and nonpartisan races, the clerk must stock all three versions of the petition form: *Partisan Nominating Petition* sheets, *Qualifying Petition* sheets, and *Nonpartisan Nominating Petition* sheets. County clerks must also have copies of every petition sheet used by any jurisdiction within the county on hand.

The different types of petitions provided for candidates are described in the following table. Candidates must use the correct petition form or risk disqualification from the ballot. For a list of approved petition forms with current revision dates, please visit the eLearning center and search "Petition revision dates."



<b>Office sought</b>	<b>Partisanship of election and candidate's party affiliation</b>	<b>Appropriate petition form</b>
United States House of Representatives, Michigan State Senate, Michigan House of Representatives	Partisan Election; Candidate Affiliated with a Party	Countywide Partisan Nominating Petition
	Partisan Election; Candidate Not Affiliated with a Party	Countywide Qualifying Petition
	Nonpartisan Election	N/A
Countywide Office (excluding County Commissioner)	Partisan Election; Candidate Affiliated with a Party	Countywide Partisan Nominating Petition
	Partisan Election; Candidate Not Affiliated with a Party	Countywide Qualifying Petition
	Nonpartisan Election	Countywide Nonpartisan Nominating Petition
County Commissioner	Partisan Election; Candidate Affiliated with a Party	City/Township Partisan Nominating Petition
	Partisan Election; Candidate Not Affiliated with a Party	City/Township Qualifying Petition
	Nonpartisan Election	N/A
City or Township Office	Partisan Election; Candidate Affiliated with a Party	City/Township Partisan Nominating Petition
	Partisan Election; Candidate Not Affiliated with a Party	City/Township Qualifying Petition
	Nonpartisan Election	City/Township Nonpartisan Nominating Petition
Village Office	Partisan Election; Candidate Affiliated with a Party	N/A
	Partisan Election; Candidate Not Affiliated with a Party	N/A
	Nonpartisan Election	Village Nonpartisan Nominating Petition
School Board, Intermediate School Board, Community College Board, or Trustees	Partisan Election; Candidate Affiliated with a Party	N/A
	Partisan Election; Candidate Not Affiliated with a Party	N/A
	Nonpartisan Election	School Nominating Petition



## Number of signatures required on nominating petitions

The minimum number of signatures that a candidate must submit to appear on the ballot, as well as the maximum number of signatures a candidate may submit on their nominating petition, varies with the population of the jurisdiction in which the candidate seeks to appear on the ballot. The following chart shows signature requirements for all state offices, judicial offices, county offices, city offices, township offices, city offices, and village offices.

Certain city and village offices may have different signature requirements for nominating petitions if signature requirements are set in the city or village charter.

Population	Valid signatures required for a Partisan Nominating Petition		Valid signatures required for a Nonpartisan Nominating Petition		Valid signatures required for a Qualifying Petition	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
0 - 9,999	3	10	6	20	9	30
10,000 - 24,999	20	50	40	100	60	150
25,000 - 49,999	50	100	100	200	150	300
50,000 - 74,999	100	200	200	400	300	600
75,000 - 99,999	200	400	400	800	600	1,200
100,000 - 199,999	300	500	600	1,000	900	1,500
200,000 - 499,999	500	1,000	1,000	2,000	1,500	3,000
500,000 - 999,999	1,000	2,000	2,000	4,000	3,000	6,000



1,000,000 - 1,999,999	2,000	4,000	4,000	8,000	6,000	12,000
2,000,000 - 4,999,999	4,000	8,000	6,200	12,000	12,000	24,000
Over 5 million (statewide)	15,000	30,000	12,000	60,000	12,000	60,000

### *Additional signature requirements*

Nominating petitions filed for the office of Governor or U.S. Senator must be signed by at least 100 registered voters in each of at least half of the congressional districts in the state. Similarly, a qualifying petition filed for the office of President, U.S. Senator, Governor, Secretary of State, Attorney General, State Board of Education, University of Michigan Regent, Michigan State University Trustee, or Wayne State University Governor, or Michigan Supreme Court Justice must be signed by at least 100 registered electors in each of at least half of the congressional districts in the state.

### *Special signature thresholds*

Candidates for School Board, Intermediate School Board, District Library Board, and Library Board positions fully contained within a city, township or village have signature requirements different than the requirements in the chart on the previous page:

- **Jurisdiction with fewer than 10,000 residents:** A minimum of 6 signatures and a maximum of 20 signatures.
- **Jurisdiction with more than 10,000 residents:** A minimum of 40 signatures and a maximum of 100 signatures.

A candidate for a Library Board position for a Library District which is not fully contained within a city, township, or village is subject to the normal signature requirements set out in the chart on the prior page.

Candidates for Community College Trustee likewise have signature requirements different than the requirements in the chart on the previous page

- **Community college district with fewer than 10,000 residents:** A minimum of six signatures and a maximum of 20 signatures.





- **Community college district with between 10,000 and 1,500,000 residents:** A minimum of 40 signatures and a maximum of 100 signatures.
- **Community college district with more than 1,500,000 residents:** A minimum of 250 signatures and a maximum of 500 signatures.

## **Paying filing fee in lieu of submitting nominating petition**

Some candidates have the option to pay a \$100 filing fee in lieu of submitting a completed nominating petition. Candidates who may pay the fee in lieu of submitting nominating petitions are candidates seeking election to the following offices only:

- State legislature
- County office
- Township office
- School Board
- Intermediate School Board
- Community College Trustee
- Library Board
- District Library Board
  - *For guidance on filing fees in lieu of petitions for city offices, refer to the city charter.*

The filing fee is nonrefundable. Filing fees are to be earmarked for the purchase or maintenance of voting equipment.

All candidates running for offices other than those listed in this section, or who are not discussed in the following section, must submit a completed nominating petition with the required number of valid signatures.



## Offices for which nominating petitions are not required

Candidates who are nominated by convention, rather than through the primary process, are not required to submit nominating petitions. Offices nominated by convention are Lieutenant Governor, Secretary of State, Attorney General, State Board of Education, University of Michigan Regent, Michigan State University Trustee or Wayne State University Governor. Minor party candidates also need not submit nominating petitions, because candidates affiliated with a minor political party – a party which is qualified to appear on the general election ballot, but not the primary election ballot – are nominated by convention or caucus, no matter which office the candidate seeks. In both cases, candidates nominated by the parties via convention or caucus will appear on the general election ballot.

Additionally, a judicial officer who is running for reelection to their current judicial office may file an [\*Incumbent Judicial Affidavit of Identity and Affidavit of Candidacy\*](#) in lieu of a nominating petition.

Candidates for Justice of the Michigan Supreme Court have different options to appear on the ballot depending on their incumbency status. An incumbent Justice of the Michigan Supreme Court may file an *Affidavit of Candidacy*, which requires no signatures. A nonincumbent candidate may seek nomination at a party convention in the same manner as candidates for Lieutenant Governor and other offices explained previously or may file a *Qualifying Petition*. Candidates for Justice of the Michigan Supreme Court appear on the general election ballot; they cannot appear on a primary election ballot.

Candidates for Precinct Delegate do not need to file any signatures or pay a filing fee.

## Additional filing requirements

### *Candidates for judicial office*

A nonincumbent candidate who files a petition for a judicial office must file the *Nonincumbent Judicial Affidavit of Identity and Affidavit of Constitutional Qualification*.

### *Independent candidates for President and Governor*



A candidate without political party affiliation who files for the office of U.S. President or Governor is required to comply with special filing requirements related to their candidacy. For complete information, such a candidate should contact the Michigan Department of State's Bureau of Elections.

## **VI. Circulating petitions**

Petition sheets are highly regulated, and petition sheets with incorrect or incomplete information are invalid. This section explains the form petitions must take, the actions and attestations required of circulators, and how the signatures on submitted petition sheets are processed to ensure the signature belongs to a voter qualified to cast a ballot in the relevant jurisdiction.

### **Petition sheet headers**

The following must be filled in on the heading of each petition sheet:

- The candidate's name and address
- The candidate's political party affiliation, if the candidate is seeking a partisan office as a partisan candidate
- The office sought by the candidate, including the district, if applicable
- The date of the election

The candidate is responsible for filling out the required information on the petition form, unless a city or township charter requires the clerk to complete the form.

### *Additional header requirements for judicial candidates*

Judicial candidates must also include in the petition sheet header whether they seek election for a regular term or a partial term in office, as well as their incumbency status.

For a regular term, the header must include one of the following:

- Regular term - Incumbent position;
- Regular term - Nonincumbent position; or
- New judgeship.



For a candidate seeking election to fill a partial term, the following designation shall be used:

- Partial term - Incumbent position
- Partial term - Nonincumbent position

A petition is still valid if either “Unexpired term” or “Vacancy” is substituted for “Partial term” in either designation. If more than one partial term will be filled in the judicial district during the same election, the date that the term of the office for which the candidate is running will expire is required.

### *Application by judicial candidates to the Bureau of Elections*

In a judicial district with any combination of “new,” “incumbent,” or “nonincumbent” positions available, the statute requires candidates to apply to the Bureau of Elections for a written statement of office designation to correspond to the judgeship sought by the candidate. The office designations are provided as an appendix in the *Judicial Elective Manual* on the Secretary of State’s website to fulfill this requirement. The Bureau of Elections will designate a judicial position as an “incumbent” position in any instance where an incumbent judge is eligible to seek reelection and the deadline for filing the [Incumbent Judicial Affidavit of Identity and Affidavit of Candidacy](#) has not yet elapsed.

The [Incumbent Judicial Affidavit of Identity and Affidavit of Candidacy](#) filing deadline elapses 134 days prior to the date of the August primary election. If the incumbent judge does not file for reelection by the deadline for submitting an [Incumbent Judicial Affidavit of Identity and Affidavit of Candidacy](#), the Bureau of Elections will redesignate the position as a “nonincumbent” position and notify all candidates seeking election in the judicial district to the same court that a nonincumbent position exists. Nominating petition sheets circulated for the “nonincumbent” position subsequent to the [Incumbent Judicial Affidavit of Identity and Affidavit of Candidacy](#) filing deadline must be designated as “Regular term - Nonincumbent position” or “Partial term – Nonincumbent position” as appropriate. Signatures collected and signed prior to the [Incumbent Judicial Affidavit of Identity and Affidavit of Candidacy](#) filing deadline on petition sheets bearing an “Incumbent position” designation are not invalidated if the office is designated “nonincumbent” after the filing deadline, and those petitions may be filed with the nonincumbent nominating petitions.



## Requirements to serve as a petition circulator

Petition circulators are not required to be registered voters or a resident of Michigan. However, circulators must be at least 18 years old and must be a United States citizen. A single petition sheet cannot be circulated by more than one circulator.

## Preparing a petition sheet for circulation

Before circulating a countywide petition sheet, the circulator must enter the county of circulation in the space provided at the top of the sheet. The signers of the sheet must reside within the listed county. No more than one county can be listed on a sheet. Jurisdictions are filled in as follows:

- **Countywide petition sheets:** If the circulator is circulating a countywide petition sheet, the circulator must fill in the appropriate county in the space provided at the top of the sheet. A candidate for an office which would represent multiple counties but who is required to gather signatures on countywide petition sheets may only gather signatures from each county on sheets that are designated for that county.
- **City, township, or village petition sheets:** If the circulator is circulating a city, township, village, or school petition sheet, the circulator must enter the county **and** the city, township, or village of circulation in the space provided at the top of the sheet. No more than one city, township, village, or school district may be listed on a sheet. If listing a city or township that shares part or all of its name with another city or township in the same county, the circulator should list “city” or “township” as appropriate for the jurisdiction in which signatures are being sought.

## Petition signatories

Only persons registered to vote in the jurisdiction and, if applicable, district where the candidate seeks office may sign a petition sheet. In addition to signing the petition sheet, the signatory must include all the required information for the signatory’s signature to be valid. Signatures of persons ineligible to sign the petition sheet, or improperly executed signatures of persons who are eligible to sign the petition sheet, will not be counted by the filing official when determining if the requisite number of signatures have been submitted to appear on the ballot.



## *Eligibility to sign petition sheet*

The signatories of a petition sheet must be registered to vote in the jurisdiction for which the petition sheet is being circulated. If the signer lives in a city that overlaps county lines, they must sign a petition sheet which lists the signer's county of residence. Additionally, if the candidate on whose behalf the signature sheet is being circulated is seeking an office representing a district that encompasses only part of the jurisdiction, signers must be registered to vote at an address within that district.

## *Signature requirements*

Each petition signatory is required to sign their name on the petition sheet. Additionally, each signatory must enter their street address or rural route number, their city or township of residence, and the month, day, and year of signing on the petition sheet. Signatories should print the name under which they are registered to vote. A person must sign their own signature on the petition sheet; no person can sign a petition sheet for another person. A person, including the circulator, may help the signatory by filling in the signatory's address, and/or printing the date on which the signature was made. A person with a disability may sign a petition sheet by making the same mark they used to sign their voter registration or Michigan driver's license or Michigan state ID.

## *In-person signature requirement*

A person may only sign a petition sheet in the physical presence of the circulator; the circulator must see the person affixing their signature to the petition sheet. A signature made outside of sight of a circulator, including a virtual signature, is not valid. A circulator may not leave a petition sheet unattended at any time.

## *Candidates and circulators signing petitions*

A candidate gathering signatures to qualify for the ballot may sign their own petition. If a circulator meets the voter registration and residency requirements for petition signers explained previously, the circulator may also sign the petition which they are circulating, including a petition sheet for which the circulator also completes the circulator's certificate.



## **Circulator's certificate**

After the circulator has collected a full petition sheet of signatures or determined that no more signatures will be collected on a sheet, the circulator must complete and date the certificate at the bottom of the sheet. Signatures on a petition sheet which are dated after the date of the circulator's certificate are invalid. Signatures on a petition sheet with an incomplete or undated certificate will not be counted. If the circulator is not a Michigan resident, the circulator must check the out-of-state circulator box. The county of registration is not required for out-of-state circulators and if left blank does not invalidate the petition sheet. Michigan residents completing the county of registration field does not invalidate the petition sheet.

## **VII. Determining the sufficiency of nominating petitions**

Filing officials must process submitted nominating petitions to ensure that the petition contains the number of valid signatures required for the name of the candidate submitting the petition to appear on the ballot. To verify each signature submitted, a filing official must determine that the signature is genuine, that the person to whom the signature belongs was qualified to sign the petition sheet in question, and that the petition sheet meets the requirements set out in the sections of this chapter explaining the petition circulation process. If a candidate fails to submit the required number of signatures by the statutory deadline, the candidate will not appear on the ballot.

Filing officials should verify the completeness and the validity of each signature on a submitted signature sheet as soon as possible after the date of filing. A filing official who determines, before the filing deadline, that a candidate has failed to file sufficient signatures to appear on the ballot may notify the candidate of the error or omission and the process for curing that error or omission using the phone number provided on the affidavit. In addition to a phone call, or if a phone number is not provided, the filing official may also send an email to the email address provided by the candidate or use any other method at the filing official's disposal to contact the candidate. Whether it is possible to provide such notices may depend on the date prior to the deadline the petitions are filed and the number of



overall filings. Filing officials should ensure that similarly situated candidates' filings are treated in the same manner.

## **Supplemental filings**

If, prior to the filing deadline, a filing official notifies a candidate that the candidate has not submitted enough valid signatures to appear on the ballot, or if the candidate has not exceeded the maximum number of signatures and decides to submit more, the candidate may submit one or more supplemental signature filings. In total, the candidate may only submit up to the maximum number of signatures that may be submitted for that office; any supplemental filing by the candidate may contain no more signatures than the difference between the number of signatures already submitted by the candidate and the maximum total number of signatures the candidate may submit.

When processing a supplemental filing, the filing official should add the number of valid signatures in the supplemental filings to the number of valid signatures in the original filing to determine the total number of valid signatures the candidate has submitted.

The filing official should issue a receipt to a candidate making a supplemental filing acknowledging receipt of that filing.

A supplemental filing may not be made after the filing deadline. The filing official has no obligation to complete the review of any candidate's nominating petition prior to the filing deadline, no matter how early the candidate submitted their petition.

## **Preliminary inspection**

Upon receiving the nominating petition, the filing official should conduct a preliminary inspection of the submitted petition sheets.

### *Invalidation of petition sheets*

The filing official should invalidate a nominating petition sheet, and every signature affixed to that sheet, if any of the following conditions are met:

- The petition sheet is of a different type than the petition sheet which should be used for nominating petitions for the office sought by the candidate.





- The petition sheet header does not include all of the mandatory elements explained in the section *Petition sheet headers*. A petition sheet for a village, library, or school district office which lists “unincorporated place” rather than the correct township when the village, library, or school district is contained within a single township is still valid.
- The *circulator’s certificate* is blank, incomplete, or improperly completed. A *circulator’s certificate* which does not include a ZIP code or contains an improper ZIP code is acceptable.

### *Invalidation of individual signatures*

The filing official should invalidate an individual signature affixed to a nominating petition sheet if any of the following conditions are met:

- The signatory did not write their complete address or the date of signing on the petition sheet. A signature which does not include a ZIP code, or with an incorrect ZIP code, should not be invalidated because of the missing or incorrect ZIP code.
- The signatory’s address is outside of the jurisdiction and, if relevant, district for which the candidate seeks nomination or election.
- The signatory’s address is outside of the county or city/township indicated on the header of the petition sheet.
- The signatory dated the signature after the date appearing on the *circulator’s certificate*.

The invalidation of an individual signature affixed to a nominating petition sheet does not affect the validity of other signatures affixed to that sheet. A nominating petition sheet may contain multiple valid and multiple invalid signatures.

### *Completion of the preliminary inspection*

If, after completing the preliminary inspection of the nominating petition, the filing official determines that the nominating petition lacks the minimum number of valid signatures necessary to appear on the ballot, the filing official must notify the candidate in writing of the insufficiency of the petition.

If after completing the preliminary inspection of the nominating petition, the filing official determines that the nominating petition may contain the



minimum number of valid signatures necessary to appear on the ballot, the filing official must begin checking the voter registration of the signatories of the nominating petition, as described in the following section.

## **Voter registration and signature verification checks**

After conducting the preliminary inspection, the filing official must verify the voter registration of potentially valid signatures affixed to the nominating petition. A signatory's voter registration is valid for the purpose of signing a nominating petition sheet if the voter was registered to vote in the proper jurisdiction and, if applicable, district on the date of signing. The voter registration check should be carried out using the QVF.

In addition to determining if the signatory was registered to vote in the proper jurisdiction and, if applicable, district on the date of signing, the filing official should also verify that the signature on the petition sheet matches the voter's signature on file. Signatures on a petition sheet should only be invalidated if the signature differs in significant and obvious respects from the voter's signature on file. A filing official conducting a signature review should adhere to the following principles:

- **Initials or other minor discrepancies:** Signatures cannot be rejected because of minor discrepancies between the signed name and the name used for voter registration purposes. For example, a person registered to vote under the name of Robert Charles Jones may permissibly sign the petition sheet as R.C. Jones or R. Jones. A person registered to vote under the name of Andrew L. Smith may permissibly sign on the petition sheet as Andrew Smith.
- **Titles:** Titles are irrelevant and should be ignored when determining if a person is eligible to sign the petition form. For example, a person registered to vote under the name Helen Jones may permissibly sign a petition sheet as Dr. Helen Jones or Rev. Helen Jones.
- **Illegible handwriting:** A signature does not need to be legible to be determined to be valid. Even if a signature is impossible to read, it must be counted if it matches the person's signature on file.
- **Printed signatures:** A printed name in lieu of a signature on a petition is not acceptable unless the person's signature in their voter registration record is printed and matches the signature on the petition.



- **Discrepancy between petition sheet address and registration address:** If a person’s signature on the petition sheet matches the person’s signature in their voter registration record, but the person’s address included on the petition sheet differs from the address included in the voter registration record, the filing official should determine if the address listed on the petition sheet is within the jurisdiction in which the candidate is running for office. If the address on the petition sheet is within the correct jurisdiction, the signature may not be invalidated because the address does not match the address on the voter registration record. If the address on the petition sheet is not within the correct jurisdiction, the signature is invalid.
- **Name change:** If a signatory’s name has changed but the filing official is still able to determine the signatory’s identity, the signature is valid if the name change was made for any reason laid out in the *Name Changes and the Affidavit of Identity* section.
- **Miscellaneous irregularities:** Filing officials should make reasonable efforts to ascertain the identity of a petition sheet signatory and avoid disqualifying signatures due to miscellaneous irregularities in the signature. For example, signatures signed in the following ways may be accepted if the signer can be identified and is otherwise qualified to sign the petition sheet:
  - **Title and initial rather than first name:** Mr. J. Smith is an acceptable signature for a John Smith.
  - **Title and marital name:** Mrs. Robert Jones is an acceptable signature for a woman married to Robert Jones.
  - **Title, marital name, and first initial:** Ms. J. Green is an acceptable signature for someone whose first name, or whose spouse’s name, begins with “J”.
  - **Ditto marks:** Ditto marks are acceptable to indicate that a signer’s address is the same as the address of the prior signatory.

If a signature has a variation other than the variations explained previously, the filing officials should make a reasonable effort to determine if a signature belongs to a person registered to vote in the correct jurisdiction who is eligible to sign the petition sheet.



If the filing official determines that a voter was registered in the correct jurisdiction and, if applicable, district, on the date the voter signed the petition, and the filing official verifies the voter’s signature, the official should mark the voter’s signature with a check mark. If the filing official determines that the voter was not registered in the correct jurisdiction and, if applicable, district, on the date the voter signed the petition or the filing official rejects the voter’s signature, the filing official should mark the petition using the appropriate notation from the following chart:



ENTRY CODE	CODE NAME	EXPLANATION									
SIGNATURE ERRORS											
CO	Crossed off	Signature was crossed out prior to filing.									
DUP	Duplicate	Voter signed petition multiple times, or signed nominating petitions for more candidates than there are persons to be elected to the office (e.g. 3 judicial candidates when there are 2 vacant positions).									
IS	Invalid Signature	The petition signature is omitted or does not sufficiently agree with the signature on file.									
NR	Not Registered	On the date of signing, the signer was not registered to vote anywhere in the city or township indicated. Note: If a signer is registered to vote at a different address within the same city or township as written on the petition, the signature is valid. Refer to the following examples: <table border="1"> <thead> <tr> <th>Petition Address</th> <th>Registration Address</th> <th>Result</th> </tr> </thead> <tbody> <tr> <td>456 Maple St., Flint</td> <td>456 Maple St., Mt. Morris</td> <td>Invalid [NR]</td> </tr> <tr> <td>123 Main St., Mason</td> <td>987 Maple St., Mason</td> <td>Valid [R]</td> </tr> </tbody> </table>	Petition Address	Registration Address	Result	456 Maple St., Flint	456 Maple St., Mt. Morris	Invalid [NR]	123 Main St., Mason	987 Maple St., Mason	Valid [R]
Petition Address	Registration Address	Result									
456 Maple St., Flint	456 Maple St., Mt. Morris	Invalid [NR]									
123 Main St., Mason	987 Maple St., Mason	Valid [R]									
ADDRESS AND JURISDICTIONAL ISSUES											
IA	Invalid Address	Address is blank, missing house number or street name, or P.O. Box listed.									
IC	Invalid City or Township	There is no city or township by that name located within the county listed at the top or the city or township field was left blank.									
NC	Nonexistent County	County listed does not exist (misspelled county is not "NC").									
OD	Outside District	The address given is located within the city or township listed, but outside of the electoral district for the office sought.									
R	Registered/Registered at Other Address in Jurisdiction	Registered at address provided on petition or registered at another address within city/township listed on the petition.									
DATE ERRORS											



DATE	Invalid Date	<ul style="list-style-type: none"> <li>• Signature is dated before the first date signatures may be circulated. Note: For qualifying petitions only, any signature that is dated more than 180 days prior to the date of filing is invalid.</li> <li>• Signature is dated before the filing of the petition (483a filing).</li> <li>• Signer's signature is dated after the circulator dated their signature.</li> <li>• Date is incomplete, illegible or missing.</li> </ul>
HEAD	Invalid Heading Entries	<ul style="list-style-type: none"> <li>• Failure to include candidate name, address, name of office, party affiliation (if applicable), and date of primary.</li> <li>• Failure to include whether incumbent, nonincumbent, or new position, or incorrect designation as such.</li> <li>• Font size deviates from requirements (Certain items are 24-point or 12-point font; everything else is 8-point font.)</li> </ul>
<b>FORM ISSUES</b>		
DMG	Damaged	Petition sheets that are damaged, mutilated, torn or otherwise spoiled in a way that interferes with the presence of any of the mandatory elements (heading, warning statements, circulator certificate, signer entries).
FORM	Form Error	Incorrect form used or incorrect petition submitted with filing.
MRE	Missing Required Element	Missing a required element, e.g., warning cut off when printed, illegible words (crossed out with marker).
<b>CIRCULATOR ISSUES</b>		
CIRC	Circulator Information Missing	<ul style="list-style-type: none"> <li>• Failure to include the circulator name, complete residential address (street or rural route number, city or township and state).</li> <li>• Not signed by circulator.</li> <li>• Circulator date is omitted or illegible.</li> </ul>
OS	Out-of-State Box Blank	Out-of-state circulator failed to check non-residency box in the Certificate of Circulator.
PV	Paid/Volunteer Box Blank	Circulator did not mark paid/volunteer box.
<b>MISCELLANEOUS ERRORS</b>		
IL	Illegible	Unable to read enough information provided by the signer(s) to identify the signer.
MC	Miscellaneous	Miscellaneous errors identified not provided above.



## Signature challenges

The validity of signatures appearing on petitions may be challenged up to seven days following the filing deadline (MCL 168.552). Challenges must be written and must contain specific reference to the signature or signatures being challenged.

Upon receiving a signature challenge, the filing official must evaluate the validity of each challenge. If the filing official determines that a signature affixed to the nominating petition does not match the voter's signature on file, or if the filing official determines that a person whose signature appears on the petition is not registered in the appropriate jurisdiction and, if applicable, district on the date of signing, the filing official should invalidate that signature.

## Public record of nominating petitions

Filing officials must maintain a public record of all filings received and the disposition of each filing. This record must be maintained for two years after the date of the election for which the filings were made. The record must include the candidate's name, the office sought by the candidate, the date that the filing was received by the filing official, the number of signatures that the candidate was required to obtain to gain access to the ballot, the total number of signatures filed by the candidate, and the final disposition of the candidate's filing.

## Retention of nominating petitions

Petition sheets filed with a filing official must be maintained until January 1 of the year following the election for which the candidate was seeking access to the ballot. After January 1, the petition sheets may be destroyed or returned to the candidate as requested on the *Affidavit of Identity*. If petition sheets are destroyed, the public record of the filing described in the prior paragraph must be updated to indicate the date on which the petition sheets were destroyed and the manner in which they were destroyed.

## Completing nominating petition processing

If the filing official determines that a candidate's nominating petitions do not comply with the election law's requirements, the filing official must



immediately notify the candidate, and include in the notification the reasons why their name was not certified.

## **VIII. Campaign finance filing requirements**

Candidates seeking state, judicial, county, city, township, village, school board, or any elected office in Michigan must comply with the Michigan Campaign Finance Act (MCFA). Precinct Delegate candidates are exempt from the requirements of the MCFA. While this section provides a brief overview of a candidate's duties under the MCFA, candidates should consult the Bureau of Elections' campaign finance manuals for comprehensive information on those duties.<sup>1</sup>

Candidates running for federal office – President, United States Senate, or the United States House of Representatives - are subject to federal campaign finance disclosure laws rather than the MCFA. Information on the federal campaign finance disclosure laws can be obtained from the Federal Election Commission via phone at (800) 424-9530, or online at [fec.gov](https://www.fec.gov). Federal candidates have no campaign finance reporting obligations under the MCFA.

### **Filing officials for campaign finance statements**

Only the Bureau of Elections or county clerks may receive campaign finance filings.

Any candidate running for statewide office (Governor, Lieutenant Governor, Secretary of State, Attorney General, any candidate for Michigan State Senate or the Michigan House of Representatives, and any candidate for judicial office (Michigan State Supreme Court Justice, Court of Appeals Judge, Circuit Court Judge, District Court Judge, Probate Court Judge, Probate District Court Judge, Municipal Court Judge) must file their campaign finance reports with the Secretary of State.

Any candidate for an office not listed in the previous sections must file campaign finance statements with the county clerk of the county in which they are seeking election. If a candidate is seeking election in a city, township, village, school board, library district, or other jurisdiction that

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<sup>1</sup> Available at <https://mertsplus.com/mertsuserguide/index.php?n=MANUALS.HomePage>.





spans two or more counties, the candidate must file campaign finance statements with the county clerk of the county which has the largest number of voters in the jurisdiction in which the candidate is seeking election.

## Statements of Organization

Any person running for any office must file a *Statement of Organization* with the appropriate filing official within 20 days of any of the following events:

- The person receives a contribution or makes an expenditure to support their candidacy for office. Any money spent to support a candidacy – even the candidate’s own personal funds – is an expenditure that requires the candidate to file a *Statement of Organization*.
- The person consents to a third party’s making of a contribution or an expenditure to support the person’s candidacy for office.
- The person files an *Affidavit of Identity*, an *Affidavit of Candidacy*, any petition sheets, and/or pays a filing fee.
- The person is nominated as a candidate for elective office at a political party convention.

### *Incumbent officeholders*

A person currently occupying an office to which they were elected and for which they have an active candidate committee need not file a new *Statement of Organization* to seek reelection. If the incumbent officeholder dissolved their candidate committee, or if the incumbent officeholder was not elected to their current office and thus never formed a candidate committee, the officeholder must file a *Statement of Organization* once they take any of the triggering actions explained previously.

An officeholder who is term-limited or otherwise barred from seeking election to a particular office cannot receive contributions or make expenditures to a candidate committee formed to support the person’s election to that office. For information on how to dispose of assets maintained by such a committee, the officeholder should contact the appropriate filing official.

### *Candidate nominated through write-in votes*

A person nominated for an office through write-in votes who has neither made any expenditures or contributions to seek that nomination nor



consented to a third party making any contributions or expenditures to advocate for the person's nomination must file a *Statement of Organization* 15 days after their nomination is certified by the appropriate board of canvassers. If the person made any contributions or expenditures, or consented to any contributions or expenditures being made on their behalf, advocating for their nomination, the person would have been obligated to file a *Statement of Organization* within 20 days of the first contribution or expenditure.

### *Candidate elected through write-in votes*

A person elected to an office through write-in votes who has neither made any expenditures or contributions to seek election nor consented to a third party making any contributions or expenditures to advocate for the person's election must file a *Statement of Organization* 10 days after their election is certified by the appropriate board of canvassers. If the person made any contributions or expenditures, or consented to any contributions or expenditures being made on their behalf, advocating for their election, the person would have been obligated to file a *Statement of Organization* within 20 days of the first contribution or expenditure.

### *Testing the waters*

There is no provision in the MCFA that allows a person to receive contributions or make expenditures while "testing the waters" or "exploring" a possible campaign for office. A person who makes any such expenditures, or receives any such contributions, must file a *Statement of Organization* within 20 days of the first expenditure is made or the first contribution is received.

## **Campaign finance statements**

The MCFA requires candidates for office to file regular campaign finance statements. The specific schedule a candidate must file on varies depending on the election at which the office will be filled. A failure to file a campaign finance statement by the deadline will result in fines and may lead to civil or criminal penalties. The complete campaign finance statement schedule can be viewed on the Bureau of Elections' campaign finance manual website.<sup>2</sup>

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<sup>2</sup> Available at <https://mertsplus.com/mertsuserguide/index.php?n=MANUALS.HomePage>.



## **Candidates excused from filing campaign statements**

In some circumstances, candidates are not required to file campaign finance statements.

### *Filing waiver*

If the candidate indicates on their *Statement of Organization* that the candidate does not expect to receive more than \$1,000 in contributions or make more than \$1,000 in expenditures during this election, the candidate is excused from filing campaign finance statements. If, despite expecting not to receive more than \$1,000 in contributions or spend more than \$1,000 in expenditures during this election, the candidate actually exceeds either threshold, the candidate must begin filing campaign statements starting on the first filing deadline following the date on which the candidate exceeded the contribution or expenditure threshold. So long as the candidate begins to file the required statements by the filing deadline, there is no penalty for exceeding the waiver threshold. To avoid missing filing deadlines and accruing late filing fees, the Bureau of Elections recommends that candidates who believe that, more likely than not, the candidate will not receive more than \$1,000 in contributions or make more than \$1,000 in expenditures during this election request the filing waiver.

### *School Board candidate in a district with fewer than 2,400 pupils*

A candidate for School Board in a district that has fewer than 2,400 students is not required to file campaign statements, even if they did not request a filing waiver on their *Statement of Organization*, unless the candidate receives more than \$1,000 in contributions or makes more than \$1,000 in expenditures during the election.

### *Precinct Delegate candidates*

Candidates for Precinct Delegate are not regulated by the MCFA and thus need not file campaign statements.

## **Post-election campaign finance compliance statement**

Candidates elected to an office in Michigan must file a *post-election campaign finance compliance statement* with the campaign finance filing



official before assuming office. The *post-election campaign finance compliance statement* form states that, at the date the form was signed by the candidate, the candidate had filed all campaign finance statements required under the MCFA and paid any late filing fees or fines accrued under the MCFA. A candidate elected to office's failure to file a *post-election campaign finance compliance statement* is a misdemeanor; a candidate's knowingly filing an incorrect *post-election campaign finance compliance statement* is a felony.

Candidates who win an election but who were on a filing waiver and who actually received less than \$1,000 in contributions and made less than \$1,000 in expenditures need not file a *post-election campaign finance compliance statement*. Additionally, successful Precinct Delegates need not file a *post-election campaign finance compliance statement*.

## **Other Michigan Campaign Finance Act requirements**

Beyond required filings, the MCFA also regulates and restricts the way a candidate, including candidates who are not required to file campaign statements, can receive contributions and make expenditures. Candidates should review Bureau of Elections' campaign finance manual website for more information on these regulations and restrictions.<sup>3</sup> Some of the more commonly violated provisions are explained in the following sections:

### *Failure to properly identify campaign materials*

The MCFA requires that materials having reference to an election, a candidate, or a ballot question must bear the name and address of the person creating the materials.

### *Failure to pay for equal share of joint materials*

Candidates will often collaborate to create materials advocating that a slate of candidates be elected to office. Because candidate committees cannot receive contributions from other candidate committees, and because an expenditure by one candidate committee on material advocating the election of a different candidate is a contribution to that candidate, the cost of joint campaign materials must be divided equally between all candidates whose election the campaign material advocates.

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<sup>3</sup> Available at <https://mertsplus.com/mertsuserguide/index.php?n=MANUALS.HomePage>.



### *Accepting contributions from impermissible sources*

A candidate committee may not accept contributions from corporations, labor unions, Indian tribes, persons holding a 1% or greater interest in a Detroit casino, public bodies, other candidate committees, or ballot question committees.

