



STATE OF MICHIGAN
BUREAU OF ELECTIONS
LANSING

May 24, 2024

REVIEW OF NOMINATING PETITIONS

Nasser Beydoun
Democratic Candidate for U.S. Senate

NUMBER OF VALID SIGNATURES REQUIRED: 15,000 signatures.

TOTAL FILING: 20,634 signatures.

SIGNATURE SAMPLE: 0 valid signatures, 750 invalid signatures.

Total number of sampled signatures	750
Total number of signatures determined to be invalid	
Invalid heading (failure to include valid address)	<i>Less:</i> 750
Total number of valid signatures in sample	0

Staff’s face review of Nasser Beydoun’s signature sample identified 750 invalid signatures and 0 valid signatures, which dropped him below the 545-signature threshold and rendered him ineligible for the ballot.

HEADING ERRORS: Headings on all 2,924 sheets of Beydoun’s filing, including all 750 sheets in the sample, indicated that his “street address or rural route” was a P.O. Box (example below), which is a failure to include a mandatory element of a nominating petition.

In *Morgan v Board of State Canvassers*, Docket No. 344108 (Mich App, June 8, 2018) the Michigan Court of Appeals determined that a candidate could not indicate a P.O. Box in the field for “street address or rural route.” Specifically, the court found,

MCL 168.544c specifically sets forth a "form" with which a nominating petition must conform, including that the candidate's name and "Street Address or Rural Route," "shall" be listed on the form. Plaintiffs "street address or rural route" was not listed on the petition forms that defendants rejected. Instead, those forms contained plaintiff’s campaign office P.O. Box, contrary to MCL 168.133 and MCL 168.544c. Therefore, the Board was entirely within its discretion to reject the petition forms because the lack of a street address or rural route was plain on the face of the forms.

In that case, the court found that section 133 of the Michigan Election Law (MEL) requires congressional candidates to comply with the requirements of MCL 168.544c, as described above. The corresponding section of the MEL for candidates for United States senator—section 93—likewise requires that “[n]ominating petitions shall be in the form as prescribed in 544c.” MCL 168.93. The court determined that section 544c “provides that a street address or rural route must be supplied, and a P.O. Box is neither.”

This error invalidated all 750 sampled signatures submitted by Beydoun.

INSTRUCTIONS ON REVERSE SIDE	NOMINATING PETITION (COUNTYWIDE PARTISAN)	<small>* The "Countywide" Partisan Petition form may be used by any partisan candidate. Exception: the form may not be used by a partisan candidate who seeks the office of County Commissioner; such candidates must use the "City/Township" Partisan Petition form.</small>
We, the undersigned, registered and qualified voters of the County of <u>WASHTENAW</u> and State of Michigan, nominate <u>Nasser Beydoun</u> <u>PO Box 32131</u>		<u>Beydoun Senate 000020</u>
<u>Detroit</u> (City or Township)	as a candidate of the <u>Democratic</u> Party for the office of * <u>U.S. Senate / Jan 3 2031</u>	(Street Address or Rural Route)
to be voted for at the Primary Election to be held on the <u>6th</u> day of <u>August</u> , 20 <u>24</u>		(Title of Office / Term Expiration Date) (District, if any)

CHALLENGE: Hill Harper filed a challenge to Beydoun’s nominating petitions, alleging that many of Beydoun’s petitions should be rejected because the signatures included all of the following:

- Invalid address.
- Signer not registered at listed address.
- Name and address not legible.
- Heading/circulator error.

In sum, Harper challenged 99 signatures or petition sheets.

For the reasons following, none of the challenges submitted were valid challenges. All but two of the alleged challenges were to **sheets** that were not included in the sample used to determine the validity of the submission.¹ Five of those alleged challenges did not include a line number, which would have made them impossible to consider even if they were to signatures eligible for challenge. Finally, the two challenges to **signatures** on sheets that made up the sample—to signature 4 on page 20 and signature 3 on page 56—were to signatures that did not exist; both of those sheets contained only one signature.

Beydoun responded to the challenge, arguing that the identity of the challenger “is unknown and cannot be clearly discerned from the sworn statement” because the signature and printed name on the challenge were illegible. Additionally, he argued that the challenger did not attest to being a Michigan citizen or registered voter or provide an address. Finally, the response disagreed with many of the individual challenges to signatures, arguing that duplicative challenges exist for 11 signatures (however, staff notes that none of these allegedly challenged signatures exist in the sample), and that several of the reasons given in the challenge were invalid.

Because Beydoun was left with 0 valid signatures following review, and because no challenges submitted were to signatures included in Beydoun’s sample, staff did not process either the challenge or Beydoun’s response.

¹ At its [March 20, 2023 meeting](#), the Board of State Canvassers approved proposed updates to staff’s random sampling procedures, including expansion to statewide candidate petitions. Accordingly, only signatures included in the random sample generated for Beydoun’s submission would be eligible for challenge.

FINAL RESULT OF SIGNATURE SAMPLE:

<u>Number of valid signatures</u>	<u>Formula result</u>	<u>Sample result</u>
545 or more	Certify	
544 or fewer	Deny certification	0

ESTIMATED NUMBER OF VALID SIGNATURES FOR PETITION: Based on the results of the random sample, it is estimated that the petition contains 0 valid signatures (at a confidence level of 99.9%),² 15,000 signatures fewer than the minimum threshold for certification.

STAFF RECOMMENDATION: Determine petition insufficient.

² In order to be determined sufficient, the sample had to have a validity rate of at least 72.6%. The validity rate of Beydoun's sample is 0%. The formula results in a confidence level of 99.9% that the sample's validity rate is 0%.