

DEPARTMENT OF STATE

BUREAU OF ELECTIONS

GENERAL ROLES AND RESPONSIBILITIES OF ELECTION OFFICIALS

Filed with the secretary of state on

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the secretary of state by section 31 of the Michigan election law, 1954 PA 116, MCL 168.31)

R 168.51, R 168.52, R 168.53, R 168.54, R 168.55, R 168.56, R 168.57, and R 168.58 are added to the Michigan Administrative Code, as follows:

R 168.51 Definitions.

Rule 1. (1) As used in these rules:

(a) "Act" means the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

(b) "Department" means the department of state.

(2) Unless otherwise defined in these rules, a term defined in the act has the same meaning when used in these rules.

R 168.52 Responsibilities of secretary of state.

Rule 2. Duties and responsibilities assigned to the secretary of state in the act may be delegated to department staff as prescribed by the secretary of state or director of elections, unless prohibited by law.

R 168.53 Responsibilities of director of elections.

Rule 3. Duties and responsibilities assigned to the director of elections in the act may be delegated to bureau of elections' staff or assistants as prescribed by the director of elections, unless prohibited by law.

R 168.54 Responsibilities of deputy director of elections.

Rule 4. (1) The deputy director is the principal assistant to the director of elections, as provided in section 35 of the act, MCL 168.35.

(2) In the event the director of elections is unavailable to fulfill the requirements of the office, the deputy director shall serve as acting director.

R 168.55 Responsibilities of bureau of elections' staff.

Rule 5. (1) Bureau of elections' staff shall serve as assistants to the director of elections as provided in section 35 of the act, MCL 168.35, and may be delegated duties and

responsibilities assigned to the director of elections as prescribed by the director of elections, or the acting director if the director is unavailable, unless prohibited by law.

(2) Bureau of elections' staff shall serve as assistants to the board of state canvassers and may be authorized by the board to complete duties assigned to the board of state canvassers in the act.

R 168.56 Responsibilities of a county clerk.

Rule 6. (1) Subject to section 21 of the act, MCL 168.21, the clerk of a county is responsible for administering elections in that county as prescribed by the act.

(2) Duties and responsibilities assigned to the county clerk in the act may be delegated to the county clerk's staff or assistants as prescribed by the county clerk under section 29 of the act, MCL 168.29, or by the secretary of state under section 21 of the act, MCL 168.21, unless prohibited by law.

R 168.57 Responsibilities of a city or township clerk.

Rule 7. (1) Subject to section 21 of the act, MCL 168.21, the clerk of a city or township is responsible for administering elections in that jurisdiction as prescribed by the act.

(2) Duties and responsibilities assigned to the city or township clerk in the act may be delegated to the local clerk's staff or assistants as prescribed by the local clerk under section 29 of the act, MCL 168.29, or by the secretary of state under section 21 of the act, MCL 168.21, unless prohibited by law.

R 168.58 Election administration definitions.

Rule 8. For purposes of election administration, the following definitions apply:

(a) "Candidate" means that term as defined in section 3 of the Michigan campaign finance act, 1976 PA 388, MCL 169.203.

(b) "Elective office" means that term as defined in section 5 of the Michigan campaign finance act, 1976 PA 388, MCL 169.205.

(c) "Public officer" means that term as defined in section 1 of 1978 PA 566, MCL 15.181.