

SUBSTITUTE FOR
HOUSE BILL NO. 4745

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 163 (MCL 168.163), as amended by 2012 PA 276.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 163. (1) To obtain the printing of the name of a person
2 as a candidate for nomination by a political party for the office
3 of state senator or representative under a particular party heading
4 upon the official primary ballots in the various election precincts
5 of a district, there ~~shall~~**MUST** be filed nominating petitions
6 signed by a number of qualified and registered electors residing in
7 the district as determined under section 544f. If the district
8 comprises more than 1 county, the nominating petitions ~~shall~~**MUST**
9 be filed with the secretary of state. If the district comprises 1
10 county or less, the nominating petitions ~~shall~~**MUST** be filed with

1 the county clerk of that county. Nominating petitions ~~shall~~ **MUST** be
2 in the form prescribed in section 544c. ~~Until December 31, 2013,~~
3 ~~the secretary of state and the various county clerks shall receive~~
4 ~~nominating petitions for filing in accordance with this act up to 4~~
5 ~~p.m. of the twelfth Tuesday before the August primary. Beginning~~
6 ~~January 1, 2014, the~~ **THE** secretary of state and the various county
7 clerks shall receive nominating petitions for filing in accordance
8 with this act up to 4 p.m. of the fifteenth Tuesday before the
9 August primary.

10 (2) In lieu of filing a nominating petition, a **NONREFUNDABLE**
11 filing fee of \$100.00 may be paid to the county clerk or, for a
12 candidate in a district comprising more than 1 county, to the
13 secretary of state. Payment of the fee and certification of the
14 name of the candidate paying the fee ~~shall be~~ **ARE** governed by the
15 same provisions as in the case of nominating petitions. The fee
16 ~~shall~~ **MUST** be deposited in the general fund of the county. ~~and~~
17 ~~shall be refunded to candidates who are nominated and to an equal~~
18 ~~number of candidates who receive the next highest number of votes~~
19 ~~in the primary election. If 2 or more candidates tie in having the~~
20 ~~lowest number of votes allowing a refund, the sum of \$100.00 shall~~
21 ~~be divided among them. A refund of a deposit shall not be made to a~~
22 ~~candidate who withdraws as a candidate.~~

23 Enacting section 1. This amendatory act takes effect 90 days
24 after the date it is enacted into law.

25 Enacting section 2. This amendatory act does not take effect
26 unless all of the following bills of the 99th Legislature are
27 enacted into law:

- 1 (a) House Bill No. 4747.
- 2 (b) House Bill No. 4748.
- 3 (c) House Bill No. 4749.
- 4 (d) House Bill No. 4750.
- 5 (e) House Bill No. 4809.
- 6 (f) House Bill No. 4810.