

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4748

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 349 (MCL 168.349), as amended by 2012 PA 276.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 349. (1) To obtain the printing of the name of a person
2 as a candidate for nomination by a political party for a township
3 office under the particular party heading upon the official primary
4 ballots, there ~~shall~~**MUST** be filed with the township clerk
5 nominating petitions signed by a number of qualified and registered
6 electors residing within the township as determined under section
7 544f. Nominating petitions ~~shall~~**MUST** be in the form prescribed in
8 section 544c. ~~Until December 31, 2013, the township clerk shall~~

1 ~~receive nominating petitions up to 4 p.m. of the twelfth Tuesday~~
2 ~~before the August primary. Beginning January 1, 2014, the~~ **THE**
3 township clerk shall receive nominating petitions up to 4 p.m. of
4 the fifteenth Tuesday before the August primary.

5 **(2) TO OBTAIN THE PRINTING OF THE NAME OF A CANDIDATE OF A**
6 **POLITICAL PARTY UNDER THE PARTICULAR PARTY'S HEADING UPON THE**
7 **PRIMARY ELECTION BALLOTS IN THE VARIOUS VOTING PRECINCTS OF THE**
8 **TOWNSHIP, THERE MAY BE FILED BY THE CANDIDATE, IN LIEU OF FILING**
9 **NOMINATING PETITIONS, A FILING FEE OF \$100.00 TO BE PAID TO THE**
10 **TOWNSHIP CLERK. PAYMENT OF THE FEE AND CERTIFICATION OF THE**
11 **CANDIDATE'S NAME PAYING THE FEE ARE GOVERNED BY THE SAME PROVISIONS**
12 **AS IN THE CASE OF NOMINATING PETITIONS. THE FEE MUST BE DEPOSITED**
13 **IN THE GENERAL FUND OF THE TOWNSHIP AND MUST BE REFUNDED TO**
14 **CANDIDATES WHO ARE NOMINATED AND TO AN EQUAL NUMBER OF CANDIDATES**
15 **WHO RECEIVE THE NEXT HIGHEST NUMBER OF VOTES IN THE PRIMARY**
16 **ELECTION. IF 2 OR MORE CANDIDATES TIE IN HAVING THE LOWEST NUMBER**
17 **OF VOTES ALLOWING A REFUND, THE SUM OF \$100.00 MUST BE DIVIDED**
18 **AMONG THEM. THE DEPOSITS OF ALL OTHER DEFEATED CANDIDATES, AS WELL**
19 **AS THE DEPOSITS OF CANDIDATES WHO WITHDRAW OR ARE DISQUALIFIED, ARE**
20 **FORFEITED AND THE CANDIDATES MUST BE NOTIFIED OF THE FORFEITURE.**
21 **DEPOSITS FORFEITED UNDER THIS SECTION MUST BE PAID INTO AND**
22 **CREDITED TO THE GENERAL FUND OF THE TOWNSHIP.**

23 **(3) ~~(2)~~** Within 4 days after the last day for filing nominating
24 petitions **OR A FILING FEE**, the township clerk shall deliver to the
25 county clerk a list setting forth the name, address, and political
26 affiliation and office sought of each candidate who has qualified
27 for a position on the primary ballot.

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

3 Enacting section 2. This amendatory act does not take effect
4 unless House Bill No. 4747 of the 99th Legislature is enacted into
5 law.