



HOUSE BILL No. 5356

February 22 1994 Introduced by Reps Varga DeMars Dalman Llewellyn Goschka
Parks and London and referred to the Committee on Consumers

A bill to amend Act No 116 of the Public Acts of 1954,
entitled

"Michigan election law,"

as amended, being sections 168 1 to 168 992 of the Michigan
Compiled Laws, by adding section 20

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Act No 116 of the Public Acts of 1954, as
2 amended, being sections 168 1 to 168 992 of the Michigan Compiled
3 Laws, is amended by adding section 20 to read as follows

4 SEC 20 (1) AT THE TIME A PERSON WHO IS SEEKING THE NOMI-
5 NATION FOR ELECTIVE OFFICE FILES A NOMINATING PETITION OR A
6 FILING FEE IN LIEU OF A NOMINATING PETITION UNDER THIS ACT, OR A
7 PERSON WHO IS SEEKING TO QUALIFY TO APPEAR ON AN ELECTION BALLOT
8 FILES A QUALIFYING PETITION UNDER THIS ACT, THE PERSON SHALL ALSO

1 FILE AN AFFIDAVIT AS REQUIRED IN THIS SECTION THE AFFIDAVIT
2 SHALL INCLUDE ALL OF THE FOLLOWING INFORMATION

3 (A) THE NAME OF THE PERSON SEEKING THE NOMINATION FOR ELEC-
4 TIVE OFFICE OR SEEKING TO QUALIFY TO APPEAR ON AN ELECTION
5 BALLOT

6 (B) THE ELECTIVE OFFICE THAT THE PERSON IS SEEKING

7 (C) ONE OR MORE OF THE FOLLOWING STATEMENTS, AS APPLICABLE

8 (1) A STATEMENT THAT THE PERSON SEEKING ELECTIVE OFFICE HAS
9 NEVER BEEN CONVICTED OF OR PLED NOLO CONTENDERE TO CHILD ABUSE OR
10 ANY FELONY IN THIS STATE, ANOTHER STATE, OR THE UNITED STATES

11 (11) A STATEMENT THAT THE PERSON SEEKING ELECTIVE OFFICE HAS
12 BEEN CONVICTED OF OR PLED NOLO CONTENDERE TO CHILD ABUSE IN THIS
13 STATE, ANOTHER STATE, OR THE UNITED STATES

14 (111) A STATEMENT THAT THE PERSON SEEKING ELECTIVE OFFICE
15 HAS BEEN CONVICTED OF OR PLED NOLO CONTENDERE TO A FELONY IN THIS
16 STATE, ANOTHER STATE, OR THE UNITED STATES

17 (D) IF THE AFFIDAVIT CONTAINS EITHER STATEMENT UNDER SUBDI-
18 VISION (C)(11) OR (111), OR BOTH, A STATEMENT INCLUDING ALL OF
19 THE FOLLOWING

20 (1) A DESCRIPTION OF EACH CHARGE UPON WHICH THE PERSON WAS
21 CONVICTED OR TO WHICH THE PERSON PLED NOLO CONTENDERE

22 (11) THE DATE OF EACH CONVICTION OR PLEA

23 (111) THE JURISDICTION IN WHICH EACH CONVICTION OR PLEA
24 OCCURRED

25 (1v) THE SENTENCE IMPOSED FOR EACH CONVICTION OR PLEA

26 (v) ANY OTHER INFORMATION THE PERSON SEEKING ELECTIVE OFFICE
27 CONSIDERS APPROPRIATE

1 (2) THE SECRETARY OF STATE SHALL NOT PRINT OR CAUSE TO BE
2 PRINTED UPON AN OFFICIAL BALLOT THE NAME OF A PERSON SEEKING THE
3 NOMINATION FOR ELECTIVE OFFICE OR SEEKING TO QUALIFY TO APPEAR ON
4 AN ELECTION BALLOT WHO HAS NOT FILED THE AFFIDAVIT REQUIRED BY
5 THIS SECTION

6 (3) AS USED IN THIS SECTION

7 (A) "CHILD ABUSE" MEANS A VIOLATION OF SECTION 136B OR 145C
8 OF THE MICHIGAN PENAL CODE, ACT NO 328 OF THE PUBLIC ACTS OF
9 1931, BEING SECTIONS 750 136B AND 750 145C OF THE MICHIGAN
10 COMPILED LAWS, OR A VIOLATION OF A SIMILAR LAW OF THIS STATE,
11 ANOTHER STATE, OR THE UNITED STATES

12 (B) "FELONY" MEANS A VIOLATION OF A LAW OF THIS STATE,
13 ANOTHER STATE, OR THE UNITED STATES THAT IS PUNISHABLE BY IMPRIS-
14 ONMENT FOR MORE THAN 1 YEAR