

HOUSE BILL No. 4242

February 9, 1999, Introduced by Reps. Shulman, Godchaux, Kowall, Sanborn, Faunce, Gosselin, Bishop, Birkholz, Gilbert, Pumford, LaSata, Woronchak, DeHart, Hart, Kukuk, Voorhees, Garcia, Bradstreet, Van Woerkom, Ehardt, Richardville, Vear, DeRossett, Mortimer, DeWeese, Stamas, Richner, Law, Hager, Pappageorge, Bisbee, Jansen, Middaugh, Toy, Raczkowski and Scranton and referred to the Committee on Constitutional Law and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 558 (MCL 168.558), as amended by 1997 PA
137.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 558. (1) A candidate filing nominating petitions or a
2 filing fee for a county, state, national, city, township, vil-
3 lage, or school district office in any election, at the time of
4 filing the nominating petitions or filing fee, shall file with
5 the officer with whom the petitions or fee is filed 2 copies of
6 an affidavit. The affidavit shall contain the candidate's name;
7 address; ward and precinct where registered, if qualified to vote
8 at that election; a statement that the candidate is a citizen of
9 the United States; number of years of residence in the state and
10 county; other information that may be required to satisfy the

1 officer as to the identity of the candidate; A STATEMENT THAT THE
2 CANDIDATE HAS, AS OF THE DATE OF THE AFFIDAVIT, FILED ALL STATE-
3 MENTS AND REPORTS AND PAID ALL FINES REQUIRED OF THAT INDIVIDUAL
4 UNDER THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL 169.201
5 TO 169.282; and a statement that the candidate acknowledges that
6 making a false statement in the affidavit is perjury, punishable
7 by a fine up to \$1,000.00 or imprisonment for up to 5 years, or
8 both. If a candidate files the affidavit with an officer other
9 than the county clerk or secretary of state, the officer shall
10 immediately forward to the county clerk 1 copy of the affidavit
11 by first class mail. The county clerk shall immediately forward
12 1 copy of the affidavit for state and national candidates to the
13 secretary of state by first class mail. An officer shall not
14 certify to the board of election commissioners the name of a can-
15 didate who fails to comply with this section.

16 (2) If petitions or filing fees are filed by or in behalf of
17 a candidate for more than 1 office, either national, state,
18 county, city, village, township, or school district, the terms of
19 which run concurrently or overlap, the candidate so filing, or in
20 behalf of whom petitions or fees were so filed, shall select the
21 1 office to which his or her candidacy is restricted within 3
22 days after the last day for the filing of petitions or filing
23 fees unless the petitions or filing fees are filed for 2 offices
24 that are combined or for offices that are not incompatible.
25 Failure to make the selection disqualifies a candidate with
26 respect to any office for which petitions or fees were so filed
27 and the name of the candidate shall not be printed upon the

1 ballot for those offices. A vote cast for that candidate at the
2 primary or general election ensuing shall not be counted and is
3 void.