

HOUSE BILL No. 5990

April 16, 2008, Introduced by Reps. Marleau, Moss, Agema, Knollenberg, Palmer, Proos, Shaffer, LaJoy, Brandenburg, Pastor, Rick Jones, David Law, Robertson, Hune, Gaffney, Moore, Stakoe, Moolenaar, Caul, Booher, Hansen, Ball, Opsommer, Nitz, Pearce, Meltzer, Acciavatti, Amos, Rocca, Stahl, Calley, Meekhof, Green and Horn and referred to the Committee on Ethics and Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 933 (MCL 168.933), as amended by 2003 PA 119,
and by adding section 849.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 849. (1) BEFORE ASSUMING OFFICE, EACH ELECTED CANDIDATE**
2 **SUBJECT TO THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL**
3 **169.201 TO 169.282, INCLUDING AN ELECTED CANDIDATE WHOSE CANDIDATE**
4 **COMMITTEE RECEIVED OR EXPENDED LESS THAN \$1,000.00 DURING THE**
5 **ELECTION CYCLE, SHALL FILE A TAX COMPLIANCE STATEMENT WITH THE**
6 **FILING OFFICIAL DESIGNATED TO RECEIVE THE CANDIDATE'S CANDIDATE**
7 **COMMITTEE STATEMENT OF ORGANIZATION UNDER SECTION 24 OF THE**

1 MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL 169.224.

2 (2) BEFORE ASSUMING OFFICE, EACH ELECTED SCHOOL BOARD MEMBER
3 WHO IS EXEMPT FROM THE DEFINITION OF ELECTIVE OFFICE UNDER SECTION
4 5 OF THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL 169.205,
5 SHALL FILE A TAX COMPLIANCE STATEMENT WITH 1 OF THE FOLLOWING:

6 (A) IF THE SCHOOL DISTRICT HAS TERRITORY IN ONLY 1 COUNTY,
7 WITH THE CLERK OF THAT COUNTY.

8 (B) IF THE SCHOOL DISTRICT HAS TERRITORY IN MORE THAN 1
9 COUNTY, WITH THE CLERK OF THE COUNTY IN WHICH THE LARGEST NUMBER OF
10 REGISTERED SCHOOL DISTRICT ELECTORS RESIDE.

11 (3) ALL OF THE FOLLOWING APPLY TO A TAX COMPLIANCE STATEMENT
12 REQUIRED UNDER THIS SECTION:

13 (A) THE TAX COMPLIANCE STATEMENT SHALL BE ON A FORM PRESCRIBED
14 BY THE SECRETARY OF STATE.

15 (B) THE TAX COMPLIANCE STATEMENT SHALL INCLUDE AN ATTESTATION
16 SIGNED BY THE ELECTED CANDIDATE THAT, AS OF THE DATE OF THE
17 STATEMENT, ANY DELINQUENT TAXES OWED BY THE ELECTED CANDIDATE HAVE
18 BEEN PAID OR ARE CURRENTLY BEING ADJUDICATED IN A COURT OR
19 ADMINISTRATIVE AGENCY.

20 (C) THE TAX COMPLIANCE STATEMENT SHALL INCLUDE AN ATTESTATION
21 SIGNED BY THE ELECTED CANDIDATE ACKNOWLEDGING THAT MAKING A FALSE
22 STATEMENT IN A TAX COMPLIANCE STATEMENT IS PUNISHABLE BY A FINE OF
23 NOT MORE THAN \$1,000.00 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS,
24 OR BOTH.

25 (4) FAILURE TO FILE A TAX COMPLIANCE STATEMENT AS REQUIRED BY
26 SUBSECTION (1) OR (2) IS A MISDEMEANOR PUNISHABLE BY A FINE OF NOT
27 MORE THAN \$500.00 OR IMPRISONMENT FOR NOT MORE THAN 93 DAYS, OR

1 BOTH.

2 (5) MAKING A FALSE STATEMENT IN A TAX COMPLIANCE STATEMENT
3 REQUIRED UNDER SUBSECTION (1) OR (2) IS PERJURY PUNISHABLE AS
4 PROVIDED IN SECTION 936.

5 Sec. 933. A person who makes a false affidavit or swears
6 falsely while under oath under section 848, 849, or for the purpose
7 of securing registration, for the purpose of voting at an election,
8 or for the purpose of qualifying as a candidate for elective office
9 under section 558 is guilty of perjury.