

Legislative Analysis



INCLUDE FELONIES ON CANDIDATE AFFIDAVITS OF IDENTITY

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House Bill 4825

Sponsor: Rep. Klint Kesto

Committee: Elections and Ethics

Complete to 1-21-14

A SUMMARY OF HOUSE BILL 4825 AS INTRODUCED 6-12-13

House Bill 4825 would amend the Michigan Election Law (MCL 168.558) to require that candidates who run for public office list any felony convictions within the preceding 10 years on their affidavits of identity. A more detailed description of the bill follows.

Now under the law, when candidates run for public office they file nominating petitions, filing fees, affidavits of candidacy, and affidavits of identity.

An affidavit of identity contains, among other things, a candidate's name, address, and the ward and precinct where the candidate is registered to vote; a statement that the candidate is a citizen of the United States; the candidate's number of years of residence in the state and county; the manner in which the candidate wishes to have his or her name appear on the ballot; and a statement that the candidate either is or is not using a name given at birth.

Further, the affidavit of identity includes a statement that the candidate has filed all statements and reports, and paid all late filing fees and fines, as required by the Michigan Campaign Finance Act. And, finally, the affidavit of identity contains a statement that false statements constitute perjury, punishable by a fine up to \$1,000 or imprisonment for up to 5 years, or both.

House Bill 4825 would retain all of these provisions. In addition, the bill would require that an affidavit of identity also contain a statement requiring the candidate to indicate whether he or she had been convicted of a felony within the immediately preceding 10 years. If convicted of a felony, then the candidate would be required to list each felony on the affidavit. The candidate would not be required to list any juvenile adjudications.

FISCAL IMPACT:

The bill would have no significant fiscal impact for the state or local units of government.

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