

HOUSE BILL No. 5283

February 6, 2014, Introduced by Rep. Lane and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 163, 193, 224, and 254 (MCL 168.163, 168.193, 168.224, and 168.254), as amended by 2012 PA 276.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 163. (1) To obtain the printing of the name of a person
2 as a candidate for nomination by a political party for the office
3 of state senator or representative under a particular party heading
4 upon the official primary ballots in the various election precincts
5 of a district, there shall be filed nominating petitions signed by
6 a number of qualified and registered electors residing in the
7 district as determined under section 544f. If the district
8 comprises more than 1 county, the nominating petitions shall be
9 filed with the secretary of state. If the district comprises 1

1 county or less, the nominating petitions shall be filed with the
2 county clerk of that county. Nominating petitions shall be in the
3 form prescribed in section 544c. ~~Until December 31, 2013, the~~
4 ~~secretary of state and the various county clerks shall receive~~
5 ~~nominating petitions for filing in accordance with this act up to 4~~
6 ~~p.m. of the twelfth Tuesday before the August primary. Beginning~~
7 ~~January 1, 2014, the~~ **THE** secretary of state and the various county
8 clerks shall receive nominating petitions for filing in accordance
9 with this act up to 4 p.m. of the fifteenth Tuesday before the
10 August primary.

11 (2) In lieu of filing a nominating petition, a filing fee of
12 \$100.00 may be paid to the county clerk or, for a candidate in a
13 district comprising more than 1 county, to the secretary of state.
14 Payment of the fee and certification of the name of the candidate
15 paying the fee shall be governed by the same provisions as in the
16 case of nominating petitions. The fee shall be deposited in the
17 general fund of the county. ~~and shall be refunded to candidates who~~
18 ~~are nominated and to an equal number of candidates who receive the~~
19 ~~next highest number of votes in the primary election. If 2 or more~~
20 ~~candidates tie in having the lowest number of votes allowing a~~
21 ~~refund, the sum of \$100.00 shall be divided among them. A refund of~~
22 ~~a deposit shall not be made to a candidate who withdraws as a~~
23 ~~candidate.~~

24 Sec. 193. (1) To obtain the printing of the name of a person
25 as a candidate for nomination by a political party for an office
26 named in section 191 under a particular party heading upon the
27 official primary ballots, there shall be filed with the county

1 clerk nominating petitions signed by a number of qualified and
2 registered electors residing within the county as determined under
3 section 544f. Nominating petitions shall be in the form prescribed
4 in section 544c. ~~Until December 31, 2013, the county clerk shall~~
5 ~~receive nominating petitions up to 4 p.m. of the twelfth Tuesday~~
6 ~~before the August primary. Beginning January 1, 2014, the~~ **THE**
7 county clerk shall receive nominating petitions up to 4 p.m. of the
8 fifteenth Tuesday before the August primary.

9 (2) To obtain the printing of the name of a candidate of a
10 political party under the particular party's heading upon the
11 primary election ballots in the various voting precincts of the
12 county, there may be filed by the candidate, in lieu of filing
13 nomination petitions, a filing fee of \$100.00 to be paid to the
14 county clerk. Payment of the fee and certification of the
15 candidate's name paying the fee shall be governed by the same
16 provisions as in the case of nominating petitions. The fee shall be
17 deposited in the general fund of the county. ~~and shall be refunded~~
18 ~~to candidates who are nominated and to an equal number of~~
19 ~~candidates who receive the next highest number of votes in the~~
20 ~~primary election. If 2 or more candidates tie in having the lowest~~
21 ~~number of votes allowing a refund, the sum of \$100.00 shall be~~
22 ~~divided among them. The deposits of all other defeated candidates,~~
23 ~~as well as the deposits of candidates who withdraw or are~~
24 ~~disqualified, shall be forfeited and the candidates shall be~~
25 ~~notified of the forfeiture. Deposits forfeited under this section~~
26 ~~shall be paid into and credited to the general fund of the county.~~

27 Sec. 224. (1) To obtain the printing of the name of a person

1 as candidate for nomination by a political party for the office of
2 county auditor under a particular party heading upon the official
3 primary ballots, there shall be filed with the county clerk
4 nominating petitions signed by a number of qualified and registered
5 electors residing within the county as determined under section
6 544f. Nominating petitions shall be in the form prescribed in
7 section 544c. ~~Until December 31, 2013, the county clerk shall~~
8 ~~receive nominating petitions up to 4 p.m. of the twelfth Tuesday~~
9 ~~before the August primary. Beginning January 1, 2014, the~~ **THE**
10 county clerk shall receive nominating petitions up to 4 p.m. of the
11 fifteenth Tuesday before the August primary.

12 (2) To obtain the printing of the name of the candidate of a
13 political party under the particular party's heading upon the
14 primary election ballots in the various voting precincts of the
15 county, there may be filed by the candidate, in lieu of filing
16 nominating petitions, a filing fee of \$100.00 to be paid to the
17 county clerk. Payment of the fee and certification of the name of
18 the candidate paying the fee shall be governed by the same
19 provisions as in the case of nominating petitions. The fee shall be
20 deposited in the general fund of the county. ~~and shall be refunded~~
21 ~~to candidates who are nominated and to an equal number of~~
22 ~~candidates who received the next highest number of votes in the~~
23 ~~primary election. If 2 or more candidates tie in having the lowest~~
24 ~~number of votes allowing a refund, the sum of \$100.00 shall be~~
25 ~~divided among them. The deposits of all other defeated candidates~~
26 ~~and of candidates who withdraw or are disqualified shall be~~
27 ~~forfeited and the candidates shall be notified of the forfeitures.~~

~~Deposits forfeited under this section shall be paid into and credited to the general fund of the county.~~

Sec. 254. (1) To obtain the printing of the name of a person as a candidate for nomination by a political party for the office of county road commissioner under a particular party heading upon the official primary ballots, there shall be filed with the county clerk of the county nominating petitions signed by a number of qualified and registered electors residing within the county as determined under section 544f. Nominating petitions shall be in the form prescribed in section 544c. ~~Until December 31, 2013, the county clerk shall receive nominating petitions up to 4 p.m. of the twelfth Tuesday before the August primary in which county road commissioners are to be elected. Beginning January 1, 2014, the~~ **THE** county clerk shall receive nominating petitions up to 4 p.m. of the fifteenth Tuesday before the August primary in which county road commissioners are to be elected.

(2) To obtain the printing of the name of a candidate of a political party under the particular party's heading upon the primary election ballots in the various voting precincts of the county, there may be filed by each candidate, in lieu of filing nominating petitions, a filing fee of \$100.00 to be paid to the county clerk. Payment of the fee and certification of the name of the candidate paying the fee shall be governed by the same provisions as in the case of nominating petitions. The fee shall be deposited in the general fund of the county. ~~and shall be returned to all candidates who are nominated and to an equal number of candidates who received the next highest number of votes in the~~

1 ~~primary election. If 2 or more candidates tie in having the lowest~~
2 ~~number of votes allowing a refund, the sum of \$100.00 shall be~~
3 ~~divided among them. The deposits of all other defeated candidates,~~
4 ~~as well as the deposits of candidates who withdraw or are~~
5 ~~disqualified, shall be forfeited and the candidates shall be~~
6 ~~notified of the forfeitures. Deposits forfeited under this section~~
7 ~~shall be paid into and credited to the general fund of the county.~~