

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 4748

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending section 349 (MCL 168.349), as amended by 2012 PA 276.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 349. (1) To obtain the printing of the name of a person  
2       as a candidate for nomination by a political party for a township  
3       office under the particular party heading upon the official primary  
4       ballots, there ~~shall~~**MUST** be filed with the township clerk  
5       nominating petitions signed by a number of qualified and registered  
6       electors residing within the township as determined under section  
7       544f. Nominating petitions ~~shall~~**MUST** be in the form prescribed in  
8       section 544c. ~~Until December 31, 2013, the township clerk shall~~

1 ~~receive nominating petitions up to 4 p.m. of the twelfth Tuesday~~  
2 ~~before the August primary. Beginning January 1, 2014, the~~ **THE**  
3 township clerk shall receive nominating petitions up to 4 p.m. of  
4 the fifteenth Tuesday before the August primary.

5       (2) TO OBTAIN THE PRINTING OF THE NAME OF A CANDIDATE OF A  
6 POLITICAL PARTY UNDER THE PARTICULAR PARTY'S HEADING UPON THE  
7 PRIMARY ELECTION BALLOTS IN THE VARIOUS VOTING PRECINCTS OF THE  
8 TOWNSHIP, THERE MAY BE FILED BY THE CANDIDATE, IN LIEU OF FILING  
9 NOMINATING PETITIONS, A FILING FEE OF \$100.00 TO BE PAID TO THE  
10 TOWNSHIP CLERK. PAYMENT OF THE FEE AND CERTIFICATION OF THE  
11 CANDIDATE'S NAME PAYING THE FEE ARE GOVERNED BY THE SAME PROVISIONS  
12 AS IN THE CASE OF NOMINATING PETITIONS. THE FEE MUST BE DEPOSITED  
13 IN THE GENERAL FUND OF THE TOWNSHIP AND MUST BE REFUNDED TO  
14 CANDIDATES WHO ARE NOMINATED AND TO AN EQUAL NUMBER OF CANDIDATES  
15 WHO RECEIVE THE NEXT HIGHEST NUMBER OF VOTES IN THE PRIMARY  
16 ELECTION. IF 2 OR MORE CANDIDATES TIE IN HAVING THE LOWEST NUMBER  
17 OF VOTES ALLOWING A REFUND, THE SUM OF \$100.00 MUST BE DIVIDED  
18 AMONG THEM. THE DEPOSITS OF ALL OTHER DEFEATED CANDIDATES, AS WELL  
19 AS THE DEPOSITS OF CANDIDATES WHO WITHDRAW OR ARE DISQUALIFIED, ARE  
20 FORFEITED AND THE CANDIDATES MUST BE NOTIFIED OF THE FORFEITURE.  
21 DEPOSITS FORFEITED UNDER THIS SECTION MUST BE PAID INTO AND  
22 CREDITED TO THE GENERAL FUND OF THE TOWNSHIP.

23       (3) ~~(2)~~ Within 4 days after the last day for filing nominating  
24 petitions **OR A FILING FEE**, the township clerk shall deliver to the  
25 county clerk a list setting forth the name, address, and political  
26 affiliation and office sought of each candidate who has qualified  
27 for a position on the primary ballot.

1           Enacting section 1. This amendatory act takes effect 90 days  
2 after the date it is enacted into law.

3           Enacting section 2. This amendatory act does not take effect  
4 unless House Bill No. 4747 of the 99th Legislature is enacted into  
5 law.