

HOUSE BILL NO. 4284

February 23, 2021, Introduced by Reps. Koleszar, Bollin, Sabo, O'Neal, Calley and Hertel and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"

by amending sections 193 and 254 (MCL 168.193 and 168.254), section 193 as amended by 2012 PA 276 and section 254 as amended by 2018 PA 120.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 193. (1) To obtain the printing of the name of ~~a person~~
2 **an individual** as a candidate for nomination by a political party
3 for an office named in section 191 under a particular party heading

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

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

1 Sec. 254. (1) To obtain the printing of the name of ~~a person~~
2 **an individual** as a candidate for nomination by a political party
3 for the office of county road commissioner under a particular party
4 heading upon the official primary ballots, there must be filed with
5 the county clerk of the county nominating petitions signed by a
6 number of qualified and registered electors residing within the
7 county as determined under section 544f. Nominating petitions must
8 be in the form prescribed in section 544c. The county clerk shall
9 receive nominating petitions up to 4 p.m. of the fifteenth Tuesday
10 before the August primary in which county road commissioners are to
11 be elected.

12 (2) To obtain the printing of the name of a 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 each candidate, in lieu of filing
16 nominating petitions, a **nonrefundable** filing fee of \$100.00 to be
17 paid to the county clerk. Payment of the fee and certification of
18 the name of the candidate paying the fee are governed by the same
19 provisions as in the case of nominating petitions. The fee must be
20 deposited in the general fund of the county and must be ~~returned to~~
21 ~~all 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 must be~~
25 ~~divided among them. The deposits of all other defeated candidates,~~
26 ~~as well as the deposits of candidates who withdraw or are~~
27 ~~disqualified, are forfeited and the candidates must be notified of~~
28 ~~the forfeitures. Deposits forfeited under this section must be paid~~
29 ~~into and credited to the general fund of the county.~~ **used only for**

1 the purchase and maintenance of voting equipment.