

HOUSE BILL NO. 4283

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

A bill to amend 1966 PA 261, entitled

"An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,"

by amending sections 11 and 11a (MCL 46.411 and 46.411a), section 11 as amended by 2002 PA 158.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11. A candidate for the office of county commissioner
2 ~~shall~~**must** be a resident and registered voter of the district that
3 he or she seeks to represent and ~~shall~~**must** remain a resident and
4 registered voter to hold his or her office, if elected. Nominations
5 and elections for commissioners ~~shall~~**must** be by partisan
6 elections. In order for the name of a candidate for nomination for
7 the office of county commissioner to appear on the official primary
8 ballot, a nominating petition or ~~\$100.00~~**a nonrefundable** filing fee
9 ~~shall~~**of \$100.00 must** be filed with the county clerk. The
10 nominating petition ~~shall~~**must** have been signed by a number of
11 qualified and registered electors residing within the district as
12 determined under section 544f of the Michigan election law, 1954 PA
13 116, MCL 168.544f. The deadline for filing nomination petitions or
14 filing fees is the same as for a candidate for state
15 representative. ~~A person~~**An individual** who has been convicted of a
16 violation of section 12a(1) of 1941 PA 370, MCL 38.412a, is not
17 eligible to be a county commissioner for 20 years after the
18 conviction.

19 Sec. 11a. ~~For candidates paying a~~**A nonrefundable** filing fee
20 **paid to the county clerk** in lieu of filing petitions under section
21 11, ~~the filing fees shall~~**must** be ~~returned to all such candidates~~
22 ~~who shall be nominated and to a like number of candidates who are~~
23 ~~next highest in order thereto in the number of votes received in~~
24 ~~the primary election; and in case 2 or more candidates shall tie in~~
25 ~~having the lowest number of votes allowing a refund hereunder, the~~
26 ~~sum of \$100.00 shall be divided or prorated among them. The~~
27 ~~deposits of all other defeated candidates, as well as the deposits~~
28 ~~of all candidates who may withdraw or be disqualified, shall be~~
29 ~~forfeited and the candidates shall be notified of the~~

1 ~~forfeitures.~~ deposited in the general fund of the county and must be
2 used only for the purchase and maintenance of voting equipment.