

HOUSE BILL NO. 4282

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

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 163 (MCL 168.163), 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 **an individual** as a candidate for nomination by a political party
3 for the office of state senator or representative under a
4 particular party heading upon the official primary ballots in the
5 various election precincts of a district, there ~~shall~~ **must** be filed

1 nominating petitions signed by a number of qualified and registered
 2 electors residing in the district as determined under section 544f.
 3 If the district comprises more than 1 county, the nominating
 4 petitions ~~shall~~**must** be filed with the secretary of state. If the
 5 district comprises 1 county or less, the nominating petitions ~~shall~~
 6 **must** be filed with the county clerk of that county. Nominating
 7 petitions ~~shall~~**must** be in the form prescribed in section 544c.
 8 ~~Until December 31, 2013, the secretary of state and the various~~
 9 ~~county clerks shall receive nominating petitions for filing in~~
 10 ~~accordance with this act up to 4 p.m. of the twelfth Tuesday before~~
 11 ~~the August primary. Beginning January 1, 2014, the~~ **The** secretary of
 12 state and the various county clerks shall receive nominating
 13 petitions for filing in accordance with this act up to 4 p.m. of
 14 the fifteenth Tuesday before the August primary.

15 (2) In lieu of filing a nominating petition, a **nonrefundable**
 16 filing fee of \$100.00 may be paid to the county clerk or, for a
 17 candidate in a district comprising more than 1 county, to the
 18 secretary of state. Payment of the fee and certification of the
 19 name of the candidate paying the fee ~~shall be~~**are** governed by the
 20 same provisions as in the case of nominating petitions. The fee
 21 ~~shall~~**must** be deposited in the general fund of the **candidate's**
 22 county and ~~shall be refunded to candidates who are nominated and to~~
 23 ~~an equal number of candidates who receive the next highest number~~
 24 ~~of votes in the primary election. If 2 or more candidates tie in~~
 25 ~~having the lowest number of votes allowing a refund, the sum of~~
 26 ~~\$100.00 shall be divided among them. A refund of a deposit shall~~
 27 ~~not be made to a candidate who withdraws as a candidate.~~**of**
 28 **residence and must be used only for the purchase and maintenance of**
 29 **voting equipment.**