



**House
Legislative
Analysis
Section**

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CANDIDATES FOR PARTY DELEGATE

**House Bill 5420 with committee
amendments
First Analysis (1-18-96)**

**Sponsor: Rep. Beverly Hammerstrom
Committee: Local Government**

THE APPARENT PROBLEM:

Legislation that recently passed the House (House Bill 4449) would require the pre-election filing of affidavits of identity by persons who want write-in votes cast for them at an election to be counted. The bill applied, among other candidates, to write-in candidates for precinct delegate. Some people say it would be consistent to allow candidates for precinct delegate to get on the ballot by filing an affidavit of identity rather than requiring them to file a nominating petition. (The petition must bear a minimum of three names.) Some people say this and other recommended amendments would make it easier to attract candidates for precinct delegate to the election ballot. It has been recommended that candidates be able to file with the local clerk rather than the county clerk, which would particularly benefit people living far from the county seat, and that they have the same filing deadline as other candidates rather than being required to file a week earlier.

THE CONTENT OF THE BILL:

The bill would amend the Michigan Election Law to require a candidate for delegate to the county or district convention of a political party to submit an affidavit of identity in order to get on the primary election ballot rather than file a nominating petition. The affidavit would be filed with the county clerk (as petitions are now) or with the clerk of the city or township in which the candidate resides. Affidavits would be received until 4 p.m. on the 12th Tuesday before the primary election (rather than the on 91st day before the election, as now). Within four days after the last day for filing affidavits, the city or township clerk would have to forward the affidavits of identity to the county clerk.

MCL 168.624 and 168.626

FISCAL IMPLICATIONS:

The bill would have no fiscal impact on state or local units, according to the House Fiscal Agency. (Fiscal Note dated 1-5-96)

ARGUMENTS:

For:

The bill would remove barriers to becoming a candidate for party precinct delegate by requiring an affidavit of identity rather than a nominating petition, allowing people to file with the municipal clerk rather requiring them to file with the county clerk, and moving the deadline to a date a week later than the current deadline.

POSITIONS:

There are no positions at present.

House Bill 5420 (1-18-96)

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.