

HOUSE BILL No. 5337

February 18, 2014, Introduced by Reps. Cotter, Heise and Franz and referred to the
Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 349 and 351 (MCL 168.349 and 168.351), section
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 be filed with the township clerk nominating
5 petitions signed by a number of qualified and registered electors
6 residing within the township as determined under section 544f.
7 Nominating petitions shall be in the form prescribed in section
8 544c. Until December 31, 2013, the township clerk shall receive
9 nominating petitions up to 4 p.m. of the twelfth Tuesday before the

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

4 (2) TO OBTAIN THE PRINTING OF THE NAME OF A CANDIDATE OF A
5 POLITICAL PARTY UNDER THE PARTICULAR PARTY'S HEADING UPON THE
6 PRIMARY ELECTION BALLOTS IN THE VARIOUS VOTING PRECINCTS OF THE
7 TOWNSHIP, THERE MAY BE FILED BY THE CANDIDATE, IN LIEU OF FILING
8 NOMINATING PETITIONS, A FILING FEE OF \$100.00 TO BE PAID TO THE
9 TOWNSHIP CLERK. PAYMENT OF THE FEE AND CERTIFICATION OF THE
10 CANDIDATE'S NAME PAYING THE FEE SHALL BE GOVERNED BY THE SAME
11 PROVISIONS AS IN THE CASE OF NOMINATING PETITIONS. THE FEE SHALL BE
12 DEPOSITED IN THE GENERAL FUND OF THE TOWNSHIP AND SHALL BE REFUNDED
13 TO CANDIDATES WHO ARE NOMINATED AND TO AN EQUAL NUMBER OF
14 CANDIDATES WHO RECEIVE THE NEXT HIGHEST NUMBER OF VOTES IN THE
15 PRIMARY ELECTION. IF 2 OR MORE CANDIDATES TIE IN HAVING THE LOWEST
16 NUMBER OF VOTES ALLOWING A REFUND, THE SUM OF \$100.00 SHALL BE
17 DIVIDED AMONG THEM. THE DEPOSITS OF ALL OTHER DEFEATED CANDIDATES,
18 AS WELL AS THE DEPOSITS OF CANDIDATES WHO WITHDRAW OR ARE
19 DISQUALIFIED, SHALL BE FORFEITED AND THE CANDIDATES SHALL BE
20 NOTIFIED OF THE FORFEITURE. DEPOSITS FORFEITED UNDER THIS SECTION
21 SHALL BE PAID INTO AND CREDITED TO THE GENERAL FUND OF THE
22 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 Sec. 351. After the filing of a nominating petition **OR FILING**
2 **FEE** by or in behalf of a proposed candidate for a township office,
3 ~~such~~**THE** candidate shall not be permitted to withdraw unless a
4 written notice of withdrawal is served on the township clerk not
5 later than 4 o'clock, ~~eastern standard time, in the afternoon~~**P.M.**
6 of the third day after the last day for filing ~~such~~**NOMINATING**
7 petitions **OR A FILING FEE** as **PROVIDED** in this act, ~~provided,~~ unless
8 the third day falls on a Saturday, Sunday, or legal holiday, in
9 which case the notice of withdrawal may be served on the clerk up
10 to 4 o'clock, ~~eastern standard time,~~**P.M.** on the next secular day.