

HOUSE BILL No. 4757

May 10, 2005, Introduced by Reps. Anderson, Williams, Gillard, Hune, Gaffney, Tobocman, Brown, Kathleen Law, Plakas, Newell, Ward, Murphy, Zelenko and Leland and referred to the Committee on House Oversight, Elections, and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 933 (MCL 168.933), as amended by 2003 PA 119,
and by adding section 849.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 849. (1) BEFORE ASSUMING OFFICE, EACH ELECTED CANDIDATE
2 SUBJECT TO THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL
3 169.201 TO 169.282, INCLUDING AN ELECTED CANDIDATE WHOSE CANDIDATE
4 COMMITTEE RECEIVED OR EXPENDED LESS THAN \$1,000.00 DURING THE
5 ELECTION CYCLE, SHALL FILE A TAX COMPLIANCE STATEMENT WITH THE
6 FILING OFFICIAL DESIGNATED TO RECEIVE THE CANDIDATE'S CANDIDATE
7 COMMITTEE STATEMENT OF ORGANIZATION UNDER SECTION 24 OF THE
8 MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL 169.224. ALL OF

1 THE FOLLOWING APPLY TO A TAX COMPLIANCE STATEMENT REQUIRED UNDER
2 THIS SECTION:

3 (A) THE TAX COMPLIANCE STATEMENT SHALL BE ON A FORM PRESCRIBED
4 BY THE SECRETARY OF STATE.

5 (B) THE TAX COMPLIANCE STATEMENT SHALL INCLUDE AN ATTESTATION
6 SIGNED BY THE ELECTED CANDIDATE THAT, AS OF THE DATE OF THE
7 STATEMENT, ANY DELINQUENT TAXES OWED BY THE ELECTED CANDIDATE HAVE
8 BEEN PAID.

9 (C) THE TAX COMPLIANCE STATEMENT SHALL INCLUDE AN ATTESTATION
10 SIGNED BY THE ELECTED CANDIDATE ACKNOWLEDGING THAT MAKING A FALSE
11 STATEMENT IN A TAX COMPLIANCE STATEMENT IS PUNISHABLE BY A FINE OF
12 NOT MORE THAN \$1,000.00 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS,
13 OR BOTH.

14 (2) FAILURE TO FILE A TAX COMPLIANCE STATEMENT AS REQUIRED BY
15 SUBSECTION (1) IS A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE
16 THAN \$500.00 OR IMPRISONMENT FOR NOT MORE THAN 93 DAYS, OR BOTH.

17 (3) MAKING A FALSE STATEMENT IN A TAX COMPLIANCE STATEMENT
18 REQUIRED UNDER SUBSECTION (1) IS PERJURY, PUNISHABLE AS PROVIDED IN
19 SECTION 936.

20 Sec. 933. A person who makes a false affidavit or swears
21 falsely while under oath under section 848, 849, or for the purpose
22 of securing registration, for the purpose of voting at an election,
23 or for the purpose of qualifying as a candidate for elective office
24 under section 558 is guilty of perjury.