

# HOUSE BILL No. 4908

September 7, 2011, Introduced by Reps. Cotter, Shirkey, Somerville, Denby, Hughes and Tyler and referred to the Committee on Redistricting and Elections.

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 1999 PA 218.

## 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. The township clerk shall receive nominating petitions up to 4  
9 p.m. of the twelfth Tuesday ~~preceding~~ **BEFORE** the August primary.

(2) TO OBTAIN THE PRINTING OF THE NAME OF A CANDIDATE OF A POLITICAL PARTY UNDER THE PARTICULAR PARTY'S HEADING UPON THE PRIMARY ELECTION BALLOTS IN THE VARIOUS VOTING PRECINCTS OF THE TOWNSHIP, THERE MAY BE FILED BY THE CANDIDATE, IN LIEU OF FILING NOMINATING PETITIONS, A FILING FEE OF \$100.00 TO BE PAID TO THE TOWNSHIP CLERK. PAYMENT OF THE FEE AND CERTIFICATION OF THE CANDIDATE'S NAME PAYING THE FEE SHALL BE GOVERNED BY THE SAME PROVISIONS AS IN THE CASE OF NOMINATING PETITIONS. THE FEE SHALL BE DEPOSITED IN THE GENERAL FUND OF THE TOWNSHIP AND SHALL BE REFUNDED TO CANDIDATES WHO ARE NOMINATED AND TO AN EQUAL NUMBER OF CANDIDATES WHO RECEIVE THE NEXT HIGHEST NUMBER OF VOTES IN THE PRIMARY ELECTION. IF 2 OR MORE CANDIDATES TIE IN HAVING THE LOWEST NUMBER OF VOTES ALLOWING A REFUND, THE SUM OF \$100.00 SHALL BE DIVIDED AMONG THEM. THE DEPOSITS OF ALL OTHER DEFEATED CANDIDATES, AS WELL AS THE DEPOSITS OF CANDIDATES WHO WITHDRAW OR ARE DISQUALIFIED, SHALL BE FORFEITED AND THE CANDIDATES SHALL BE NOTIFIED OF THE FORFEITURE. DEPOSITS FORFEITED UNDER THIS SECTION SHALL BE PAID INTO AND CREDITED TO THE GENERAL FUND OF THE TOWNSHIP.

(3) ~~(2)~~ Within 4 days after the last day for filing nominating petitions **OR A FILING FEE**, the township clerk shall deliver to the county clerk a list setting forth the name, address, and political affiliation and office sought of each candidate who has qualified for a position on the primary ballot.

Sec. 351. After the filing of a nominating petition **OR FILING FEE** by or in behalf of a proposed candidate for a township office, ~~such~~ **THE** candidate shall not be permitted to withdraw unless a

1 written notice of withdrawal is served on the township clerk not  
2 later than 4 o'clock, eastern standard time, in the afternoon of  
3 the third day after the last day for filing ~~such~~ **NOMINATING**  
4 petitions **OR A FILING FEE** as **PROVIDED** in this act, ~~provided,~~ unless  
5 the third day falls on a Saturday, Sunday, or legal holiday, in  
6 which case the notice of withdrawal may be served on the clerk up  
7 to 4 o'clock, eastern standard time, on the next secular day.