

Act No. 654
Public Acts of 2018
Approved by the Governor
December 28, 2018
Filed with the Secretary of State
December 28, 2018
EFFECTIVE DATE: March 28, 2019

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Reps. Calley, Marino, LaSata, Lilly and Brann

ENROLLED HOUSE BILL No. 4748

AN ACT to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending section 349 (MCL 168.349), as amended by 2012 PA 276.

The People of the State of Michigan enact:

Sec. 349. (1) To obtain the printing of the name of a person as a candidate for nomination by a political party for a township office under the particular party heading upon the official primary ballots, there must be filed with the township clerk nominating petitions signed by a number of qualified and registered electors residing within the township as determined under section 544f. Nominating petitions must be in the form prescribed in section 544c. The township clerk shall receive nominating petitions up to 4 p.m. of the fifteenth Tuesday before the August primary.

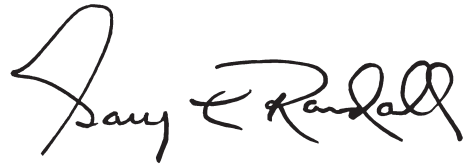
(2) To obtain the printing of the name of a candidate of a political party under the particular party's heading upon the primary election ballots in the various voting precincts of the township, there may be filed by the candidate, in lieu of filing nominating petitions, a filing fee of \$100.00 to be paid to the township clerk. Payment of the fee and certification of the candidate's name paying the fee are governed by the same provisions as in the case of nominating petitions. The fee must be deposited in the general fund of the township and must 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 must be divided among them. The deposits of all other defeated candidates, as well as the deposits of candidates who withdraw or are disqualified, are forfeited and the candidates must be notified of the forfeiture. Deposits forfeited under this section must be paid into and credited to the general fund of the township.

(3) 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.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4747 of the 99th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor