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POST-ELECTION STATEMENTS

House Bill 4522

Sponsor: Rep. Sal Rocca

Committee: Local Government and
Urban Policy

Complete to 5-1-03

A SUMMARY OF HOUSE BILL 4522 AS INTRODUCED 4-3-03

The bill would amend the Michigan Election Law to require that a candidate file his or her post-election sworn statement with the same official with whom the candidate's committee campaign statements were filed (as specified under the Michigan Campaign Finance Act). Currently under the law, a candidate files the post-election statement with either the county clerk or the secretary of state, depending upon which of those two officials issued the candidate his or her certificate of election.

Under the current law, the sworn statement (called an affidavit) must 1) be filed on a form prescribed by the secretary of state; 2) be filed before the elected candidate assumes office; 3) attest that all statements, reports, late filing fees, and fines have been paid by the candidate and also the candidate committee; 4) acknowledge, with the candidate's signature, that a false statement in the affidavit is punishable by a fine of not more than \$1,000, or imprisonment for not more than 5 years, or both; and 5) also acknowledge that a false statement is perjury. The law also specifies that failure to file the affidavit is a misdemeanor punishable by a fine of not more than \$500 or imprisonment for up to 93 days, or both. Under the bill, all of these provisions would be retained, and all would apply to the post-election statement.

MCL 168.826, 168.845, 168.933, and 168.848

House Bill 4522 (5-1-03)

Analyst: J. Hunault

■ 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.