

HOUSE BILL No. 5765

June 14, 2012, Introduced by Reps. Cavanagh, Barnett, Bauer, Dillon, Brunner, Smiley, Townsend, Irwin, Constan, Horn, Rutledge, Stallworth, Stapleton and Lane and referred to the Committee on Redistricting and Elections.

A bill to amend 1954 PA 116, entitled
 "Michigan election law,"
 by amending section 163 (MCL 168.163), as amended by 1999 PA 218.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 163. (1) To obtain the printing of the name of a person
 2 as a candidate for nomination by a political party for the office
 3 of state senator or representative under a particular party heading
 4 upon the official primary ballots in the various election precincts
 5 of a district, there shall be filed nominating petitions signed by
 6 a number of qualified and registered electors residing in the
 7 district as determined under section 544f. If the district
 8 comprises more than 1 county, the nominating petitions shall be
 9 filed with the secretary of state. If the district comprises 1
 10 county or less, the nominating petitions shall be filed with the
 11 county clerk of that county. Nominating petitions shall be in the

1 form prescribed in section 544c. The secretary of state and the
2 various county clerks shall receive nominating petitions for filing
3 in accordance with this act up to 4 p.m. of the twelfth Tuesday
4 ~~preceeding~~ **BEFORE** the August primary.

5 (2) In lieu of filing a nominating petition, a filing fee of
6 \$100.00 may be paid to the county clerk or, for a candidate in a
7 district comprising more than 1 county, to the secretary of state.
8 Payment of the fee and certification of the name of the candidate
9 paying the fee shall be governed by the same provisions as in the
10 case of nominating petitions. The fee shall be deposited in the
11 general fund of the county. ~~and shall be refunded to candidates who~~
12 ~~are nominated and to an equal number of candidates who receive the~~
13 ~~next highest number of votes in the primary election. If 2 or more~~
14 ~~candidates tie in having the lowest number of votes allowing a~~
15 ~~refund, the sum of \$100.00 shall be divided among them. A refund of~~
16 ~~a deposit shall not be made to a candidate who withdraws as a~~
17 ~~candidate.~~