



Senate Fiscal Agency
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House Bills 4282 through 4285 (as passed by the House)

Sponsor: Representative Julie Calley (H.B. 4282)
Representative Terry J. Sabo (H.B. 4283)
Representative Matt Koleszar (H.B. 4284)
Representative Ann M. Bollin (H.B. 4285)

House Committee: Elections and Ethics

Senate Committee: Elections

Date Completed: 9-29-21

CONTENT

House Bills 4282, 4284, and 4285 would amend the Michigan Election Law to make nonrefundable a \$100 filing fee for a candidate to appear on the primary ballot for nomination for the office of State Senator or Representative, county offices and county road commissioner, and township offices, respectively, and to require the fee to be used only for the purchase and maintenance of voting machines.

House Bill 4283 would amend Public Act 261 of 1966, which provides for the apportionment and manner of election of county boards of commissioners, to make nonrefundable a \$100 filing fee for a candidate to appear on the primary ballot for nomination for county board of commissioners, and to require the fee to be used only for the purchase or maintenance of voting equipment.

The bills are described in conjunction below.

Generally, for an individual's name to appear on an official primary ballot to be nominated for the office of State Senator or Representative, county offices, county road commissioner, county board of commissioners, and township offices, that individual must submit a nominating petition that meets the signature requirements of the Law or Public Act 261 (in the case of county board of commissioner candidates) and submit that petition to the Secretary of State, county clerk, or township clerk, as applicable.

Alternatively, that individual may pay a \$100 filing fee to the Secretary of State or the applicable clerk instead of submitting a petition. The filing fee, depending on the office for which the individual is seeking nomination, must be deposited as follows:

- State Senator or Representative: the general fund of the candidate's county of residence.
- County commissioner, county road commissioner, or county offices: the county general fund.
- Township offices: the general fund of the township.

The Election Law requires the filing fee for the office of State Senator or Representative, county road commissioners, county offices, and township offices to 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 two or more candidates tie in having the lowest

number of votes allowing a refund, the sum of \$100 must be divided among them. A refund may be made to a candidate who withdraws or is disqualified.

Under Public Act 261, the filing fee for the office of county board of commissioners must be returned to all candidates who are nominated and to a like number of candidates who are next highest in order in the number of votes received in the primary election. The deposits of all other defeated candidates, as well as the deposits of all candidates who withdraw or be disqualified must be forfeited.

Under the bills, for each of these offices, the \$100 filing fee would be nonrefundable, would have to be deposited into the county or township general fund, as applicable, and could be used only for the purchase and maintenance of voting machines.

MCL 168.163 (H.B. 4282)
46.411 & 46.411a (H.B. 4283)
168.193 & 168.254 (H.B. 4284)
168.349 (H.B. 4285)

Legislative Analyst: Dana Adams

FISCAL IMPACT

The bills could have a positive fiscal impact on local units of government. The bills would make the \$100 filing fees for candidates for public office nonrefundable, which would allow the local government to retain the revenue to purchase or maintain voting equipment. The amount of revenue for a local unit of government would be indeterminate and would vary by local unit of government. The amount of revenue retained by a local unit of government would depend on the actual number of candidates who paid a \$100 filing fee.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.