



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

Filing Requirements: Office of State Representative
-- 2020 Election Cycle --

Michigan Election Law governs the ballot access procedures for candidates seeking the office of State Representative. As these procedures are subject to change by the State Legislature, candidates for State Representative interested in participating in Michigan's August 4, 2020 primary election or November 3, 2020 general election are encouraged to consult our website, Michigan.gov/Elections, for updates.

UNIFORM GENERAL REQUIREMENTS

Certain requirements of Michigan Election Law are applicable to all candidates seeking the office of State Representative regardless of political party affiliation.

OFFICE QUALIFICATIONS: To be eligible for the office of State Representative a person must be a citizen of the United States, at least 21 years of age and a registered and qualified elector of the district he or she wishes to represent by the filing deadline. Art. IV, Sec. 7, of State Constitution; MCL 168.161.

AFFIDAVIT OF IDENTITY REQUIRED: Except for write-in candidates, all candidates for State Representative must submit an Affidavit of Identity in duplicate (one copy & one original or two originals) when filing for office. Affidavit of Identity forms can be obtained through any county clerk's office or from the Bureau of Elections (Bureau). The Affidavit of Identity form is also available on the Bureau's website under "Information for Candidates." MCL 168.558. Candidates who fail to comply with the Affidavit of Identity filing requirement are ineligible to appear on the ballot.

FINANCIAL DISCLOSURE: State and local candidates are required to comply with the financial disclosure requirements provided under Michigan's Campaign Finance Act, P.A. 388 of 1976.

An individual becomes a candidate under the Michigan Campaign Finance Act as soon as he or she:

- Files an affidavit, fee or nominating petition **OR**
- Is certified as the nominee of his or her political party **OR**
- Receives a contribution (**includes contributions from the candidate's own personal funds**), makes an expenditure, or authorizes someone else to do so on his or her behalf **OR**
- Is the subject of a recall vote **OR**
- Was elected to an elective office and can seek re-election.

Once any of the conditions above has been met, a candidate has:

- 10 days to form a Candidate Committee
- 10 additional days to file the Statement of Organization online
- **Example: On May 1st an individual pays for copies of petitions to be made; formation date can be no later than May 10th and the Statement of Organization is due in the appropriate filing official's office on or before May 20th**

Michigan Election Law requires any candidate filing an Affidavit of Identity to state on the form that at the date the affidavit was executed, all statements, reports, late filing fees and fines required of the candidate or any Candidate Committee organized to support the candidate's election under Michigan's Campaign Finance Act have been filed or paid. **Candidates that have any outstanding notices of Failure to File or outstanding late filing fees with any filing official in the State are ineligible to appear on the ballot.** MCL 168.558.

MAJOR PARTY CANDIDATES

Michigan's August 4, 2020 primary is limited to eligible candidates who affiliate with the Democratic Party or the Republican Party. (Based on the number of votes received by the candidate whose name appeared nearest the top of the party's column on the November 6, 2018 general election ballot. That candidate must have received at least 5% of the total number of votes cast for the office of Secretary of State; computes to 209,202 votes. See MCL 168.532.)

FILING DEADLINE: A candidate seeking the Democratic Party or Republican Party nomination to the office of State Representative must file an Affidavit of Identity in duplicate (one copy & one original or two originals) and a partisan nominating petition or filing fee no later than **4:00 p.m. on April 21, 2020.**

WITHDRAWAL: The deadline to withdraw a candidate filing for party nomination is **4:00 p.m. on April 24, 2020.** The withdrawal must be in writing and must be filed with the appropriate filing official. See page 4 for the appropriate filing official.

PETITION REQUIREMENTS: All petitions used by candidates must be in the form required under Michigan Election Law. Petition forms can be obtained through any county clerk's office or may be purchased from commercial suppliers that produce election materials. Petition form samples can be obtained through the Bureau.

Candidates seeking the Democratic Party or Republican Party nomination must use the **Countywide Partisan Nominating Petition.** A minimum of 200 valid signatures must be submitted to qualify for placement on the ballot. Up to 400 signatures can be filed to cover the minimum signature requirement. A \$100.00 filing fee may be submitted in lieu of a petition. MCL 168.133; 544f.

Candidates with sufficient petitions will appear on the August 4, 2020 primary ballot; the winning nominees will appear on the November 3, 2020 general election ballot.

MINOR PARTY CANDIDATES

In addition to the Democratic and Republican parties, other political parties are qualified¹ to appear on Michigan's November 3, 2020 general election ballot. (Based on the greatest number of votes received by *any* candidate whose name appeared in the party's column on the November 6, 2018 general election ballot. Candidate had to have received at least 1% of the total number of votes cast for the winning candidate for the office of Secretary of State; computes to 22,133 votes. See MCL 168.685.

CONVENTION DEADLINE: A candidate seeking the office of State Representative as a minor party candidate must receive nomination to the office at the party's nominating convention. The party's convention must be held no later than August 4, 2020. The minor party must have ballot status in Michigan. MCL 168.686a.

Within one business day after the conclusion of the nominating convention, party officials must submit a Certificate of Nomination to document the individual's nomination to the office, an Affidavit of Identity completed by the candidate in duplicate (one copy & one original or two originals) and a Certificate of Acceptance (completed by the candidate). The Affidavit of Identity filing requirement is explained in greater detail above. The Certificate of Acceptance form is available on the Bureau's website.

Such candidates will appear on the November 3, 2020 general election ballot.

WITHDRAWAL: Candidates nominated and certified via convention shall not be permitted to withdraw. MCL 168.686a.

CANDIDATES WITHOUT POLITICAL PARTY AFFILIATION

Candidates seeking the office of State Representative may do so without political party affiliation. These candidates are only eligible to appear on the November 3, 2020 general election ballot and will be listed as "No Party Affiliation."

FILING DEADLINES: A candidate without political party affiliation seeking the office of State Representative must file an Affidavit of Identity and a qualifying petition no later than **4:00 p.m. on July 16, 2020**. MCL 168.590c; 544f.

WITHDRAWAL: The deadline for withdrawing a no party affiliation candidate filing is **4:00 p.m. on July 20, 2020**. The withdrawal must be in writing and must be filed with the appropriate filing official. See page 4 for the appropriate filing official.

PETITION REQUIREMENTS: All petitions used by candidates must be in the form required under Michigan Election Law. Petition forms can be obtained through any county clerk's office or may also be purchased from commercial suppliers that produce election materials. Petition form samples can be obtained through the Michigan Department of State's Bureau of Elections.

Candidates seeking to be on the November general election ballot without party affiliation must use the **Countywide Qualifying Petition** form. A minimum of 600 valid signatures must be

¹ The minor political parties currently qualified to appear on the November 2020 General Election ballot are: Libertarian, U.S. Taxpayers, Green, Natural Law, and Working Class parties.

submitted to qualify for placement on the ballot. Up to 1,200 signatures can be filed to cover the minimum signature requirement. A filing fee option is not available. MCL 168.590c; 544f.

All signatures submitted must have been collected within the preceding 180-day period; signatures which are dated more than 180 days prior to the date the petition is filed are invalid. MCL 168.590b(3).

Candidates with sufficient petitions will appear on the November 3, 2020 general election ballot.

WRITE-IN CANDIDATES

FILING REQUIREMENTS FOR WRITE-IN CANDIDATES: A candidate seeking election to the office of State Representative with write-in votes must file a Declaration of Intent with the appropriate filing official no later than **4:00 p.m. on July 24, 2020** to be eligible in the August 4, 2020 primary and **4:00 p.m. on October 23, 2020** for the November 3, 2020 general election. MCL 168.737a.

The Declaration of Intent form is available on the Bureau's website: Michigan.gov/Elections.

FILING OFFICIAL

A candidate seeking the office of State Representative in a multi-county district must file with the following office:

Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan
Lansing, Michigan 48918
Phone: (517) 335-3234
Fax: (517) 335-3235
Email: Elections@Michigan.gov

The multi-county State House Districts are listed below:

17	32	51	58	59	63	65	66	70	72
78	83	84	85	86	87	93	97	98	99
100	101	102	103	105	106	107	108	109	110

A candidate seeking the office of State Representative in a district not listed above (single-county districts) must file with the local county clerk.

ADDITIONAL INFORMATION

If you have questions regarding the information presented here, please contact this office. Answers to your questions will also be found in the Michigan election law, which may be viewed at legislature.mi.gov.

Michigan Department of State
Bureau of Elections
PO Box 20126
Lansing, Michigan 48901-0726
Phone: (517) 335-3234 or (800) 292-5973
Fax: (517) 335-3235
Email: Elections@Michigan.gov
Web: Michigan.gov/Elections