

PLEASE COMPLETE SECTIONS I, II, III AND IV BELOW (Print or Type) – See Reverse Side for Important Notifications

ED-104 (2/2019)

AFFIDAVIT OF IDENTITY

All candidates seeking elective office in Michigan must submit an Affidavit of Identity (two copies) when filing. A candidate who fails to file Affidavits of Identity as required is ineligible to appear on the ballot (MCL 168.558 as amended under PA 163 of 2002).

A. CHANGE OF NAME

Michigan election law, MCL 168.558, stipulates that a candidate who is "not using a name, whether a given name, a surname, or otherwise, that is not a name that he or she was given at birth" must indicate his or her full former name on the Affidavit of Identity. The requirement to indicate a name change on the Affidavit of Identity does *not* apply if:

- The candidate's name was formally changed 10 or more years ago.
- The candidate's name was changed in a Certificate of Naturalization issued by a federal district court 10 or more years ago.
- The candidate's name was changed because of marriage.
- The candidate's name was changed through divorce to a "legal name by which the individual was previously known."

Michigan election law provides that a candidate required to indicate a name change on the Affidavit of Identity must be listed on the ballot "with his or her current name and former name as prescribed by the Secretary of State." (MCL 168.560b)

B. APPEARANCE OF NAME ON BALLOT

Michigan election law provides the following stipulations regarding the manner in which a candidate can have his or her name printed on the ballot:

- A candidate "may specify that both his or her given name and middle name, or only a middle name, shall appear on the ballot."
- A candidate "may specify that either an initial or a recognized diminutive for the candidate's given name or middle name, or for both, shall appear on the ballot."
- A candidate may *not* use a "nickname that is not a recognized diminutive of the candidate's given name or middle name" on the ballot.
- A married person may *not* use his or her spouse's given name, middle name or a diminutive of his or her spouse's given name or middle name on the ballot.
- A candidate may specify a name that constitutes a common law name in accordance with Michigan Department of State Guidelines.

C. MAILING ADDRESS

A candidate who wishes to receive communications from the Michigan Department of State's Bureau of Elections at an address other than his or her residential address should enter a "mailing address" where indicated. (Note: A candidate may list a P.O. Box for his or her "mailing address"; a candidate may *not* list a P.O. Box for his or her residential address.)

If a "mailing address" is listed, it will be shown on the candidate listings prepared and distributed by the Bureau. If a "mailing address" is *not* listed, the candidate's residential address will be shown on the candidate listings prepared and distributed by the Bureau. All candidate listings prepared by the Bureau are posted on the Bureau's website for public access.

D. JUDICIAL CANDIDATES

Place a check in the box before "Incumbent Position" if the candidate is seeking a judicial office for which the incumbent is seeking reelection. Place a check in the box before "Non-Incumbent Position" if the candidate is seeking a judicial office for which the incumbent is *not* seeking reelection. Place a check in the box before "New Judgeship" if the candidate is seeking a newly created judicial seat.

E. CAMPAIGN FINANCE ACT COMPLIANCE STATEMENT

Do not sign or submit this affidavit unless you are able to agree with the facts set forth in the "Campaign Finance Compliance Statement" which appears under Section IV on the reverse side of this form. If you need information on your current compliance status under the Michigan Campaign Finance Act, contact the Michigan Department of State's Bureau of Elections and/or the appropriate county clerks as necessary.

Candidates who are exempt from Michigan's Campaign Finance Act are limited to those individuals who seek 1) the office of U.S. Senator or U.S. Representative in Congress 2) a precinct delegate position and 3) a school board position in a district with a pupil count of 2,400 or less. (School board position exemption does not apply if candidate spends or receives over \$1,000.00 for election.)

For information concerning your campaign finance filing obligations, the following resources are provided:

- Candidates running for a federal position should contact the Federal Election Commission, 999 E Street, NW, Washington, DC 20463. Toll free line: 800.424.9530. Website: www.fec.gov
- Candidates running for a state or judicial position should contact the Michigan Department of State's Bureau of Elections, PO Box 20126, Lansing, Michigan 48901-0726. Phone (517)373-2540. Website: www.michigan.gov/elections
- Candidates running for a local position should contact their local County Clerk's office.

F. WITHDRAWAL OF FILING

Candidates who wish to withdraw a filing submitted for an elective office must submit a written withdrawal statement to their filing official no later than the third day after the applicable filing deadline.

For more information regarding filing for office, visit the Michigan Department of State – Bureau of Elections website at www.michigan.gov/elections and click on Information for Candidates or use the QR code to the right.

