

# HOUSE BILL No. 4028

January 26, 1999, Introduced by Reps. Mortimer, Cameron Brown, DeWeese, Garcia, Ehardt, Raczkowski, Vear, Pappageorge, Richner, Toy, Kowall and DeVuyst and referred to the Committee on Constitutional Law and Ethics.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending section 613a (MCL 168.613a), as amended by 1995 PA  
87.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 613a. (1) A statewide presidential primary election  
2 shall be conducted under this act on the ~~third~~ SECOND Tuesday  
3 in ~~March~~ FEBRUARY in each presidential election year.

4       (2) A political party that received 5% or less of the total  
5 vote cast nationwide for the office of president in the last  
6 presidential election shall not participate in the presidential  
7 primary election.

8       (3) Except as otherwise provided in sections 614a, 615a,  
9 616a, 624g, and 879a, the statewide presidential primary election

1 shall be conducted under the provisions of this act that govern  
2 the conduct of general primary elections.

3 Enacting section 1. (1) This amendatory act does not take  
4 effect unless all of the following requirements are met:

5 (a) The Michigan democratic party receives written notifica-  
6 tion from the democratic national committee that the national  
7 committee rules that do not recognize the results of an open  
8 presidential primary for allocating delegates are waived for the  
9 Michigan democratic party.

10 (b) The Michigan democratic party files a copy of the writ-  
11 ten notification described in subdivision (a) with the secretary  
12 of state on or before November 1 of the year immediately preced-  
13 ing a year in which a presidential primary election is to be  
14 held.

15 (2) This amendatory act takes effect 10 days after the date  
16 on which the written notification described in subsection (1) is  
17 filed with the secretary of state.