

SENATE BILL No. 489

September 10, 2015, Introduced by Senator GREEN and referred to the Committee on Elections and Government Reform.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 42 and 45 (MCL 168.42 and 168.45), section 42
as amended by 1999 PA 216 and section 45 as amended by 1985 PA 160.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 42. (1) In the year in which presidential electors are to
2 be elected under section 43, each political party in this state
3 shall choose at its fall state convention a number of candidates
4 for electors of president and vice-president of the United States
5 equal to the number of senators and representatives in congress
6 that this state is entitled to elect. **ONE PRESIDENTIAL ELECTOR**
7 **SHALL BE CHOSEN FROM EACH CONGRESSIONAL DISTRICT, AND 2**
8 **PRESIDENTIAL ELECTORS SHALL BE CHOSEN AT LARGE AND ALLOCATED AS**
9 **PROVIDED IN SUBSECTION (3) OR (4).** The chairperson and the
10 secretary of the state central committee of each political party

1 shall, within 1 business day after the conclusion of the state
2 convention, forward by registered or certified mail a certificate
3 containing the names of the candidates for **PRESIDENTIAL** electors to
4 the secretary of state. ~~The candidates for electors of president~~
5 ~~and vice president who shall be considered elected are those whose~~
6 ~~names have been certified to the secretary of state by that~~
7 ~~political party receiving the greatest number of votes for those~~
8 ~~offices at the next November election.~~

9 (2) A CANDIDATE FOR PRESIDENTIAL ELECTOR IS CONSIDERED ELECTED
10 FROM A CONGRESSIONAL DISTRICT IF HIS OR HER NAME WAS CERTIFIED TO
11 THE SECRETARY OF STATE BY A POLITICAL PARTY AS PROVIDED IN
12 SUBSECTION (1) AND THAT POLITICAL PARTY RECEIVES THE GREATEST
13 NUMBER OF VOTES FOR PRESIDENT IN THAT CONGRESSIONAL DISTRICT IN THE
14 GENERAL NOVEMBER ELECTION.

15 (3) A CANDIDATE FOR PRESIDENTIAL ELECTOR IS CONSIDERED ELECTED
16 AT LARGE IF HIS OR HER NAME WAS CERTIFIED TO THE SECRETARY OF STATE
17 BY A POLITICAL PARTY AS PROVIDED IN SUBSECTION (1) AND, EXCEPT AS
18 OTHERWISE PROVIDED IN SUBSECTION (4), THAT POLITICAL PARTY IS
19 ALLOCATED A MAJORITY OF THE PRESIDENTIAL ELECTORS FROM
20 CONGRESSIONAL DISTRICTS AS PROVIDED IN SUBSECTION (2).

21 (4) IF NO POLITICAL PARTY IS ALLOCATED A MAJORITY OF THE
22 PRESIDENTIAL ELECTORS FROM CONGRESSIONAL DISTRICTS AS PROVIDED IN
23 SUBSECTION (2), THE 2 POLITICAL PARTIES ALLOCATED THE MOST
24 PRESIDENTIAL ELECTORS UNDER SUBSECTION (2) SHALL EACH BE ALLOCATED
25 1 OF THE AT-LARGE PRESIDENTIAL ELECTORS.

26 Sec. 45. Marking a cross (X) or a check mark (✓) in the circle
27 under the party name of a political party —at the general November

1 election in a presidential year ~~shall not be considered and taken~~
2 as a direct vote for the candidates of that political party for
3 president and vice-president or either of them, but, as to the
4 presidential vote, as a vote for the ~~entire list or set of~~
5 presidential electors chosen by that political party ~~and certified~~
6 ~~to the secretary of state pursuant to this chapter.~~ **FOR THAT**
7 **CONGRESSIONAL DISTRICT AND FOR THE STATE AT LARGE.**

8 Enacting section 1. This amendatory act takes effect 90 days
9 after the date it is enacted into law.