

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 4408

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending sections 613a, 614a, and 615a (MCL 168.613a,  
168.614a, and 168.615a), sections 613a and 615a as amended by  
1995 PA 87 and section 614a as added by 1988 PA 275.

**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~~ FOURTH 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

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

3       Sec. 614a. (1) Not later than 4 p.m. of the second Friday  
4 in ~~December~~ NOVEMBER of the year before the presidential elec-  
5 tion, the secretary of state shall issue a list of the individu-  
6 als generally advocated by the national news media to be poten-  
7 tial presidential candidates for each party's nomination by the  
8 political parties for which a presidential primary election will  
9 be held under section 613a.

10       (2) Not later than 4 p.m. of the Tuesday following the  
11 second Friday in ~~December~~ NOVEMBER of the year before the pres-  
12 idential election, the state chairperson of each political party  
13 for which a presidential primary election will be held under  
14 section 613a shall file with the secretary of state a list of  
15 individuals whom they consider to be potential presidential can-  
16 didates for that political party.

17       (3) After the issuance of the list under subsection (1) and  
18 after receipt of names from the state chairperson of each politi-  
19 cal party under subsection (2), the secretary of state shall  
20 notify each potential presidential candidate on the lists of the  
21 provisions of this act relating to the presidential primary  
22 election.

23       Sec. 615a. (1) Except as otherwise provided in this sec-  
24 tion, the secretary of state shall cause THE NAME OF A PRESIDEN-  
25 TIAL CANDIDATE NOTIFIED BY THE SECRETARY OF STATE UNDER SECTION  
26 614A to be printed on the PRESIDENTIAL PRIMARY ballot ~~for the~~  
27 ~~presidential primary~~ under the appropriate political party

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1 heading. ~~the name of a presidential candidate notified by the~~  
2 ~~secretary of state under section 614a.~~ A presidential candidate  
3 notified by the secretary of state under section 614a may file an  
4 affidavit with the secretary of state indicating his or her party  
5 preference if different than the party preference contained in  
6 the secretary of state notification and the secretary of state  
7 shall cause that presidential candidate's name to be printed  
8 under the appropriate party heading on the presidential primary  
9 ballot. A presidential candidate notified by the secretary of  
10 state under section 614a may file an affidavit with the secretary  
11 of state indicating that he or she does not wish to have his or  
12 her name printed on the presidential primary ballot and the sec-  
13 retary of state shall not have that presidential candidate's name  
14 printed on the presidential primary ballot. A presidential can-  
15 didate ~~notified by the secretary of state under section 614a~~  
16 shall file an affidavit described in this subsection with the  
17 secretary of state no later than 4 p.m. on the second Friday in  
18 ~~January in a~~ DECEMBER OF THE YEAR BEFORE THE presidential elec-  
19 tion year OR THE AFFIDAVIT IS CONSIDERED VOID.

20 (2) The name of an individual who is not listed as a poten-  
21 tial presidential candidate under section 614a shall be printed  
22 on the ballot for the presidential primary under the appropriate  
23 political party heading if he or she files a nominating petition  
24 with the secretary of state no later than 4 p.m. on the second  
25 Friday in ~~January in a~~ DECEMBER OF THE YEAR BEFORE THE presi-  
26 dential election year. The nominating petition shall contain  
27 valid signatures of registered and qualified electors equal to

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1 not less than 1/2 of 1% of the total votes cast in the state at  
2 the previous presidential election for the presidential candidate  
3 of the political party for which the individual is seeking this  
4 nomination. However, the total number of signatures required on  
5 a nominating petition under this subsection shall not exceed  
6 1,000 times the total number of congressional districts in this  
7 state. A signature on a nominating petition is not valid if  
8 obtained before ~~November~~ OCTOBER 1 of the year before the pres-  
9 idential election year in which the individual seeks nomination.  
10 ~~The~~ TO BE VALID, A nominating ~~petitions shall~~ PETITION MUST  
11 conform to the requirements of this act regarding nominating  
12 petitions, ~~which~~ BUT ONLY TO THE EXTENT THAT THOSE requirements  
13 ~~are not inconsistent~~ DO NOT CONFLICT with THE REQUIREMENTS OF  
14 this subsection.

15 (3) The names of the presidential candidates under each  
16 political party heading shall be rotated on the ballot. The  
17 ballot shall contain a space for an elector to vote uncommitted.

18 Enacting section 1. This amendatory act does not take  
19 effect unless Senate Bill No. 51 of the 90th Legislature is  
20 enacted into law.