

HOUSE BILL No. 4408

March 11, 1999, Introduced by Reps. Mortimer, Garcia, Vear, Mead, Pumford, DeRossett, Bishop, Koetje, Richner, Faunce and Jansen and referred to the Committee on Constitutional Law and Ethics.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

8 (2) Not later than 4 p.m. of the Tuesday following the
9 ~~second~~ THIRD Friday in ~~December~~ NOVEMBER of the year before

1 the presidential election, the state chairperson of each
2 political party for which a presidential primary election will be
3 held under section 613a shall file with the secretary of state a
4 list of individuals whom they consider to be potential presiden-
5 tial candidates for that political party.

6 (3) After the issuance of the list under subsection (1) and
7 after receipt of names from the state chairperson of each politi-
8 cal party under subsection (2), the secretary of state shall
9 notify each potential presidential candidate on the lists of the
10 provisions of this act relating to the presidential primary
11 election.

12 Sec. 615a. (1) Except as otherwise provided in this sec-
13 tion, the secretary of state shall cause THE NAME OF A PRESIDEN-
14 TIAL CANDIDATE NOTIFIED BY THE SECRETARY OF STATE UNDER SECTION
15 614A to be printed on the PRESIDENTIAL PRIMARY ballot ~~for the~~
16 ~~presidential primary~~ under the appropriate political party
17 heading. ~~the name of a presidential candidate notified by the~~
18 ~~secretary of state under section 614a.~~ A presidential candidate
19 notified by the secretary of state under section 614a may file an
20 affidavit with the secretary of state indicating his or her party
21 preference if different than the party preference contained in
22 the secretary of state notification and the secretary of state
23 shall cause that presidential candidate's name to be printed
24 under the appropriate party heading on the presidential primary
25 ballot. A presidential candidate notified by the secretary of
26 state under section 614a may file an affidavit with the secretary
27 of state indicating that he or she does not wish to have his or

1 her name printed on the presidential primary ballot and the
2 secretary of state shall not have that presidential candidate's
3 name printed on the presidential primary ballot. A presidential
4 candidate ~~notified by the secretary of state under section 614a~~
5 shall file an affidavit described in this subsection with the
6 secretary of state no later than 4 p.m. on the ~~second~~ THIRD
7 Friday in ~~January in a~~ DECEMBER OF THE YEAR BEFORE THE
8 presidential election year OR THE AFFIDAVIT IS CONSIDERED VOID.

9 (2) The name of an individual who is not listed as a poten-
10 tial presidential candidate under section 614a shall be printed
11 on the ballot for the presidential primary under the appropriate
12 political party heading if he or she files a nominating petition
13 with the secretary of state no later than 4 p.m. on the ~~second~~
14 THIRD Friday in ~~January in a~~ DECEMBER OF THE YEAR BEFORE THE
15 presidential election year. The nominating petition shall con-
16 tain valid signatures of registered and qualified electors equal
17 to not less than 1/2 of 1% of the total votes cast in the state
18 at the previous presidential election for the presidential candi-
19 date of the political party for which the individual is seeking
20 this nomination. However, the total number of signatures
21 required on a nominating petition under this subsection shall not
22 exceed 1,000 times the total number of congressional districts in
23 this state. A signature on a nominating petition is not valid if
24 obtained before ~~November~~ OCTOBER 1 of the year before the pres-
25 idential election year in which the individual seeks nomination.
26 ~~The~~ TO BE VALID, A nominating ~~petitions shall~~ PETITION MUST
27 conform to the requirements of this act regarding nominating

1 petitions, ~~which~~ BUT ONLY TO THE EXTENT THAT THOSE requirements
2 ~~are not inconsistent~~ DO NOT CONFLICT with THE REQUIREMENTS OF
3 this subsection.

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

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