

# HOUSE BILL No. 5974

November 13, 2014, Introduced by Rep. Lund and referred to the Committee on Elections and Ethics.

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

**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. The chairperson and the  
7 secretary of the state central committee of each political party  
8 shall, within 1 business day after the conclusion of the state  
9 convention, forward by registered or certified mail a certificate  
10 containing the names of the candidates for electors to the

1 secretary of state. ~~The candidates for electors of president and~~  
2 ~~vice president who shall be considered elected are those whose~~  
3 ~~names have been certified to the secretary of state by that~~  
4 ~~political party receiving the greatest number of votes for those~~  
5 ~~offices at the next November election.~~

6 (2) PRESIDENTIAL ELECTORS SHALL BE ALLOCATED AS FOLLOWS:

7 (A) THE STATEWIDE POPULAR VOTE FOR THE TOP 2 CANDIDATES FOR  
8 PRESIDENT OF THE UNITED STATES SHALL BE ADDED TOGETHER.

9 (B) THE POLITICAL PARTY OF THE CANDIDATE RECEIVING THE MOST  
10 STATEWIDE POPULAR VOTES FOR PRESIDENT OF THE UNITED STATES, AS  
11 CALCULATED UNDER SUBDIVISION (A), SHALL BE ALLOCATED 1/2 OF THE  
12 PRESIDENTIAL ELECTORS THIS STATE IS ENTITLED TO ELECT AS PROVIDED  
13 UNDER SUBSECTION (1) PLUS 1 ADDITIONAL PRESIDENTIAL ELECTOR. IF THE  
14 NUMBER OF PRESIDENTIAL ELECTORS ALLOCATED UNDER THIS SUBDIVISION IS  
15 NOT A WHOLE NUMBER, THE NUMBER OF PRESIDENTIAL ELECTORS ALLOCATED  
16 SHALL BE ROUNDED DOWN TO THE NEAREST WHOLE NUMBER.

17 (C) SUBJECT TO SUBDIVISION (D), IN ADDITION TO THE NUMBER OF  
18 PRESIDENTIAL ELECTORS ALLOCATED UNDER SUBDIVISION (B), THE  
19 POLITICAL PARTY OF THE CANDIDATE RECEIVING THE MOST STATEWIDE  
20 POPULAR VOTES FOR PRESIDENT OF THE UNITED STATES, AS CALCULATED  
21 UNDER SUBDIVISION (A), SHALL BE ALLOCATED 1 ADDITIONAL PRESIDENTIAL  
22 ELECTOR FOR EVERY 1.5% THAT THE CANDIDATE RECEIVES OVER 50% OF THE  
23 STATEWIDE POPULAR VOTE FOR PRESIDENT OF THE UNITED STATES, AS  
24 CALCULATED UNDER SUBDIVISION (A).

25 (D) THE TOTAL NUMBER OF PRESIDENTIAL ELECTORS ALLOCATED TO THE  
26 POLITICAL PARTY OF THE CANDIDATE RECEIVING THE MOST STATEWIDE  
27 POPULAR VOTES FOR PRESIDENT OF THE UNITED STATES, AS CALCULATED

1 UNDER SUBDIVISION (A), SHALL NOT EXCEED THE TOTAL NUMBER OF  
2 PRESIDENTIAL ELECTORS THIS STATE IS ENTITLED TO ELECT AS PROVIDED  
3 UNDER SUBSECTION (1).

4 (E) ANY REMAINING PRESIDENTIAL ELECTORS THAT THIS STATE IS  
5 ENTITLED TO ELECT AS PROVIDED UNDER SUBSECTION (1) THAT ARE NOT  
6 ALLOCATED UNDER SUBDIVISIONS (B) AND (C) SHALL BE ALLOCATED TO THE  
7 POLITICAL PARTY OF THE CANDIDATE RECEIVING THE SECOND MOST  
8 STATEWIDE POPULAR VOTES FOR PRESIDENT OF THE UNITED STATES, AS  
9 CALCULATED UNDER SUBDIVISION (A).

10 (3) THE CANDIDATES FOR ELECTORS OF PRESIDENT AND VICE  
11 PRESIDENT OF EACH POLITICAL PARTY WHO SHALL BE CONSIDERED ELECTED  
12 ARE THOSE WHOSE NAMES HAVE BEEN CERTIFIED TO THE SECRETARY OF STATE  
13 UNDER SUBSECTION (1) AND WHO HAVE BEEN SELECTED BY EACH POLITICAL  
14 PARTY BASED ON THE ALLOCATION OF PRESIDENTIAL ELECTORS UNDER  
15 SUBSECTION (2).