

SUBSTITUTE FOR  
HOUSE BILL NO. 4408

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 Friday  
2 in ~~December~~ NOVEMBER of the year before the presidential elec-  
3 tion, the secretary of state shall issue a list of the individu-  
4 als generally advocated by the national news media to be poten-  
5 tial presidential candidates for each party's nomination by the  
6 political parties for which a presidential primary election will  
7 be held under section 613a.

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

1 presidential election, the state chairperson of each political  
2 party for which a presidential primary election will be held  
3 under section 613a shall file with the secretary of state a list  
4 of individuals whom they consider to be potential presidential  
5 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 Friday in  
7 ~~January in a~~ DECEMBER OF THE YEAR BEFORE THE presidential elec-  
8 tion 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 Friday in ~~January in a~~ DECEMBER OF THE YEAR BEFORE THE presi-  
15 dential election year. The nominating petition shall contain  
16 valid signatures of registered and qualified electors equal to  
17 not less than 1/2 of 1% of the total votes cast in the state at  
18 the previous presidential election for the presidential candidate  
19 of the political party for which the individual is seeking this  
20 nomination. However, the total number of signatures required on  
21 a nominating petition under this subsection shall not exceed  
22 1,000 times the total number of congressional districts in this  
23 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

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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 House Bill No. 4028 of the 90th Legislature is  
9 enacted into law.