

HOUSE BILL No. 5794

August 15, 2012, Introduced by Rep. Lund and referred to the Committee on Redistricting and Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 592, 593, 594, 595, 598, 599, 601, 602, and 608 (MCL 168.592, 168.593, 168.594, 168.595, 168.598, 168.599, 168.601, 168.602, and 168.608), sections 592, 598, and 608 as amended by 1988 PA 116.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 592. (1) Except as provided in section 532, the county
2 conventions of all political parties for the election of delegates
3 to a state convention for the nomination of state officers in the
4 even numbered years shall be held not less than 8 days nor more
5 than 25 days after the August primaries.

6 (2) All county conventions of a political party shall be held
7 on the same day throughout the state. The date shall be designated

1 by the state central committee of a political party in its call for
2 the state convention. The place and hour of meeting of a county
3 convention shall be designated in the call issued by the county
4 **EXECUTIVE** committee of the political party in the county, which
5 call shall be issued not less than 45 days before the August
6 primaries. The number of delegates to the state convention to which
7 the political party in the county is entitled shall be chosen at
8 the county convention.

9 (3) In all counties having or which may hereafter have 2 or
10 more congressional districts or parts of congressional districts
11 within the boundaries of the county, the congressional districts or
12 a part of a congressional district within the counties shall each
13 be considered a county within the provisions of this section for
14 the holding of the county conventions provided for in this section,
15 and shall be in place of the county convention. The nominee for
16 congress of the congressional district in the preceding primary
17 election, the county chairperson, and the county secretary of the
18 several political parties ~~shall constitute~~ **CONSTITUTES** a committee
19 in each congressional district to name the temporary chairperson of
20 the first district convention held under this act. Thereafter, the
21 district chairperson shall act as temporary chairperson. The
22 convention shall organize the same as county conventions and shall
23 elect delegates to the state convention. The chairperson and
24 secretary of the convention shall certify to the state central
25 committee the names and addresses of the delegates elected, and,
26 when certified, those delegates shall become the delegates from the
27 district to the state convention.

1 Sec. 593. A state convention of all political parties shall be
 2 held not less than 37 days before the first Monday of April in
 3 every odd numbered year. The state central committee of each
 4 political party shall cause to be forwarded by mail to the ~~chairman~~
 5 **CHAIRPERSON** of the county **EXECUTIVE** committee of ~~such~~**THE** political
 6 party in each county a copy of the call for ~~said~~**THE** state
 7 convention of ~~such~~**THE** political party, showing the number of
 8 delegates to which each county shall be entitled in the state
 9 convention of ~~such~~**THE** political party. ~~and the said~~**THE** state
 10 central committee shall apportion ~~such~~**THE** delegates to the several
 11 counties in proportion and according to the number of votes cast
 12 for the candidate of ~~such~~**THE POLITICAL** party for secretary of
 13 state in each of ~~said~~**THE** counties, respectively, at the last
 14 preceding November election. The particular day and the hour and
 15 place of meeting shall be designated by the state central
 16 committees of the various political parties in the call issued
 17 ~~therefor~~ by the respective state central committees of the several
 18 political parties. A certified copy of ~~such~~**THE** call shall be
 19 immediately filed with the secretary of state.

20 Sec. 594. The county conventions of all political parties for
 21 the election of delegates to a state convention in the odd numbered
 22 years shall be held not less than 7 days before ~~said~~**THE** state
 23 convention. All ~~such~~**OF THE** county conventions of ~~any one~~**A**
 24 political party shall be held on the same day throughout the state,
 25 which day shall be designated by the state central committee of
 26 ~~such~~**THE** political party in its call for the state convention **AS**
 27 provided ~~for~~ in section 593. ~~of this act.~~ The place and hour of

1 meeting of ~~any such~~ **A** county convention shall be designated in the
2 call issued ~~therefor~~ by the county **EXECUTIVE** committee of ~~such~~ **THE**
3 political party in the county, which call shall be issued not less
4 than 15 days before ~~such~~ **THE** county convention. The number of
5 delegates to the state convention to which ~~such~~ **THE** political party
6 in ~~such~~ **THE** county is entitled shall be chosen at ~~such~~ **THE** county
7 convention. In ~~all counties having or which may hereafter have~~ **A**
8 **COUNTY THAT HAS** 2 or more congressional districts or parts of
9 congressional districts within the boundaries of the county, ~~such~~
10 **THE** congressional districts or a part of any congressional district
11 within ~~said~~ **THE** counties shall each be considered a county within
12 the provisions of this section for the holding of county
13 conventions provided for in this section, and shall be in lieu of
14 ~~said~~ **THE** county conventions. The nominee for congress of the
15 congressional district in the preceding primary election, the
16 county ~~chairman~~ **CHAIRPERSON**, and the county secretary of the
17 several political parties ~~shall constitute~~ **CONSTITUTES** a committee
18 in each congressional district to name the temporary ~~chairman~~
19 **CHAIRPERSON** of the first district convention held under this act.
20 Thereafter, the district ~~chairman~~ **CHAIRPERSON** shall act as
21 temporary ~~chairman~~ **CHAIRPERSON**. The ~~said~~ convention shall then
22 proceed to organize the same as county conventions and shall
23 proceed to the election of delegates to the state convention. The
24 ~~chairman~~ **CHAIRPERSON** and secretary of ~~any such~~ **THE** convention shall
25 certify to the state central committee the names and addresses of
26 the delegates ~~so~~ elected, and when ~~so~~ certified, they ~~shall~~ become
27 the delegates from ~~said~~ **THE** district to the state convention.

1 Sec. 595. At the time of issuing the call for the county
2 convention of any political party for the election of delegates to
3 a state convention, the county **EXECUTIVE** committee of each
4 political party shall apportion to the various wards ~~(or to the~~
5 ~~precincts, in case~~ **IF** delegates to the county convention are
6 elected by precincts, ~~)~~ and townships of ~~such~~ **THE** county the
7 delegates to the ensuing state convention to which ~~such~~ **THE** county
8 is entitled upon the basis provided for in this act for the
9 apportioning of ~~such~~ **THE** delegates to the several counties. ~~Any~~ **A**
10 township may be joined with 1 or more other contiguous townships or
11 any ward of a city may be joined with 1 or more other wards of the
12 same city ~~(or, in case~~ **IF** delegates to the county convention are
13 elected by precincts, then any precinct may be joined with 1 or
14 more precincts of the same city, ~~)~~, in the formation of a district
15 for the choosing of 1 delegate. The delegates to the county
16 convention from each ward, precinct, township, or district ~~, as the~~
17 ~~ease may be,~~ shall choose the number of delegates to the state
18 convention that have been apportioned to ~~such~~ **THE** ward, precinct,
19 township, or district. The number of delegates ~~so~~ apportioned to
20 the several wards, precincts, townships, and districts shall
21 approximate, as nearly as may be, the number of delegates to which
22 ~~said~~ **THE** county may be entitled. If any ward, precinct, township,
23 or district ~~shall be~~ **IS** without representation in the county
24 convention, or if ~~such~~ **THE** ward, precinct, township, or district
25 ~~shall~~ **DOES** not choose the delegate or delegates to which ~~such~~ **THE**
26 ward, precinct, township, or district is entitled, or if the
27 apportionment has not been completed or followed in the selection

1 of delegates, the convention shall choose the delegate or delegates
2 to which ~~such~~**THE** ward, precinct, township, or district may be
3 entitled.

4 Sec. 598. (1) The state central committee of each political
5 party shall, at least 60 days before the August primary, forward by
6 mail to the chairperson of each county **EXECUTIVE** committee of the
7 political party a copy of the call for the fall state convention of
8 the political party, showing the number of delegates to which each
9 county is entitled in the state convention of the political party.
10 The state central committee shall apportion the delegates to the
11 several counties in proportion to the number of votes cast for the
12 candidate of the party for secretary of state in each county,
13 respectively, at the last preceding November general election.

14 (2) In addition to the number of delegates allocated to each
15 county under subsection (1), the state central committees shall
16 allocate an additional number of delegates equal to the number of
17 incumbent legislators nominated by their party and residing in the
18 county.

19 Sec. 599. (1) In the year 1966 and every second year
20 ~~thereafter,~~**AFTER 1966**, the delegates to the fall county convention
21 of each political party in each county in this state having a
22 population of less than 1,500,000 ~~—~~shall convene at the call of
23 the county chairperson within 20 days following the November
24 election to select a number of persons equal to the number of
25 county offices and state legislative offices for which candidates
26 were nominated at the last 2 preceding fall primary elections, who,
27 together with the persons most recently nominated by the party for

1 each of those offices, ~~shall constitute~~ **CONSTITUTES** the **COUNTY**
2 executive committee of their party for that county. When a new
3 nomination is made for an office, the nominee for which is entitled
4 to serve as a member of the **COUNTY** executive committee, the new
5 nominee shall replace the former nominee as a member of the **COUNTY**
6 executive committee. If a vacancy occurs in the position of
7 delegate-appointed member of the **COUNTY** executive committee, the
8 remaining delegate-appointed members shall fill the vacancy. Except
9 as otherwise provided in this section, the **COUNTY** executive
10 committee may appoint the officers it considers proper to carry out
11 the purposes of the committee, and may fill a vacancy in any of its
12 offices.

13 (2) Immediately following the selection of members of the
14 **COUNTY** executive committee, including the filling of vacancies, the
15 secretary of the county **EXECUTIVE** committee shall certify the names
16 and addresses of the persons chosen to the county clerk who
17 immediately shall notify each person chosen.

18 (3) Within 30 days following the convening of the fall county
19 convention, the **COUNTY** executive committee, ~~acting without the~~
20 ~~officers of the county committee who are not otherwise members of~~
21 ~~the executive committee,~~ shall meet and select a temporary
22 chairperson and temporary secretary. The temporary officers shall
23 serve only during the selection of the officers of the **COUNTY**
24 executive committee ~~who shall also serve as the officers of the~~
25 ~~county committee~~ for the 2 years commencing on **THE NEXT** January 1.
26 ~~next.~~ The officers shall be a chairperson, a vice-chairperson who
27 shall be of the opposite sex of the chairperson, a secretary, and a

1 treasurer. Candidates for legislative offices consisting of more
2 than 1 county may give a written proxy to other members of the
3 **COUNTY** executive committee.

4 ~~—— (4) After the officers of the county committee have taken~~
5 ~~office, and within 45 days after January 1 of each odd numbered~~
6 ~~year, the executive committee shall select a county committee for~~
7 ~~the party, which committee shall consist of not less than 2 members~~
8 ~~from each township and 2 members from each ward of each city in the~~
9 ~~county, or shall consist of at least 2 members from each election~~
10 ~~precinct in the county, as the executive committee may determine.~~
11 ~~The committee shall have the right to appoint officers which in its~~
12 ~~judgment are proper to carry out the purposes of the committee, and~~
13 ~~shall have power to fill a vacancy which may occur in the~~
14 ~~membership of the committee or in any of its offices. Between~~
15 ~~meetings of the county committee the executive committee shall have~~
16 ~~all of the powers and perform all of the duties of the county~~
17 ~~committee, including the filling of vacancies in nominations as~~
18 ~~prescribed by law. The term of service of a county committee shall~~
19 ~~continue for 2 years and until the selection of its successor.~~

20 (4) ~~(5)~~—A person nominated as a candidate of a political party
21 for county office shall be a delegate at large to the fall county
22 convention held in the year of the candidate's nomination and to
23 all county conventions held during the term of office for which the
24 candidate was nominated. A person nominated as a candidate of a
25 political party for state legislative office shall be a delegate at
26 large to the fall county convention held in the year of the
27 candidate's nomination in each county or part of a county contained

1 in the legislative district and to all county conventions held
 2 during the term of office for which the candidate was nominated.
 3 The number of delegates at large shall be in addition to the number
 4 of delegates specified in the call for the fall county convention.
 5 If a person is elected both a delegate at large and a delegate of
 6 an election district, a vacancy shall exist in the **ELECTION**
 7 district delegation and shall be filled as provided in section 609.

8 Sec. 601. In a county comprising a single representative,
 9 senatorial, or judicial district, the county **EXECUTIVE** committee of
 10 each political party of each ~~such county shall constitute~~
 11 **CONSTITUTES** the representative, senatorial, or judicial committee
 12 of ~~said-**THE**~~ political party for ~~such-**THE**~~ representative,
 13 senatorial, or judicial district., ~~as the case may be.~~

14 Sec. 602. In a county comprising more than 1 representative or
 15 senatorial district, the members of the county **EXECUTIVE** committee
 16 of each political party residing in each ~~such representative or~~
 17 senatorial district of ~~such-**THE**~~ county ~~shall constitute-**CONSTITUTES**~~
 18 a committee of ~~said-**THE**~~ political party for ~~such-**THE**~~ representative
 19 or senatorial district, ~~as the case may be, and such-**THE**~~ committee
 20 shall elect its ~~chairman-**CHAIRPERSON**~~ and other officers. The
 21 ~~chairman-**CHAIRPERSON**~~ shall have the right to vote on all questions
 22 arising in ~~said-**THE**~~ committee.

23 Sec. 608. (1) The board of primary election inspectors shall
 24 certify to the county clerk the names of the electors elected as
 25 delegates, naming the political party upon whose ballot the
 26 delegates were elected.

27 (2) The county clerk shall record the names of the delegates

1 elected in a book kept for that purpose and shall file the book
2 among the records of the clerk's office.

3 (3) No later than 7 days following the primary election, the
4 clerk shall notify each delegate elected of his or her election as
5 delegate.

6 (4) The county clerk shall certify the following to the
7 chairperson of the **COUNTY EXECUTIVE** committee of each political
8 party of the county:

9 (a) The delegates elected by the political party as delegates
10 to the county conventions.

11 (b) The names of all persons nominated as candidates of a
12 political party for county office and for state legislative office
13 who are delegates at large under section 599(5), when those names
14 become available to the county clerk.

15 (5) As used in this section, "persons nominated as candidates
16 of a political party for county office and for state legislative
17 office who are delegates at large under section 599(5)" means
18 incumbent county officials, incumbent state legislators, and
19 unsuccessful candidates for county offices and state legislative
20 offices who were candidates at the last prior regular or special
21 election held for the respective office.