



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 489 (as introduced 9-10-15)  
Sponsor: Senator Mike Green  
Committee: Elections and Government Reform

Date Completed: 9-23-15

### **CONTENT**

**The bill would amend the Michigan Election Law to require one presidential elector to be chosen from each Congressional district and two to be chosen at large, based on which political party received the most votes for President in that district in the general November election.**

(Presidential electors are individuals chosen in each state to elect the President and Vice President of the United States. Article 2, Section 1 of the U.S. Constitution requires each state to appoint, in the manner decided by its legislature, a number of electors equal to the whole number of United States Senators and Representatives to which the state is entitled.)

The Michigan Election Law requires presidential electors to be elected at the general November election held every fourth year, unless Congress sets a different day. In the year in which presidential electors are to be elected, each political party must choose at its fall convention a number of candidates for presidential electors equal to the number of members of Congress that Michigan is entitled to elect. The chairperson and the secretary of the state central committee of each political party must mail to the Secretary of State a certificate containing the names of the candidates for electors.

The candidates for presidential electors who must be considered elected are those whose names have been certified to the Secretary of State by the political party receiving the greatest number of votes for those offices at the next November election. The bill would delete this provision.

Under the bill, one presidential elector would have to be chosen from each Congressional district and two would have to be chosen at large and allocated as described below.

A candidate for presidential elector would be considered elected from a Congressional district if his or her name were certified to the Secretary of State by a political party and that party received the greatest number of votes for President in that district in the general November election.

A candidate for presidential elector would be considered elected at large if his or her name were certified to the Secretary of State by a political party and that party were allocated a majority of the presidential electors from Congressional districts as provided above. If no political party were allocated a majority of the presidential electors from Congressional districts, however, the two political parties allocated the most presidential electors each would have to be allocated one of the at-large presidential electors.

Under the Election Law, marking a cross or a check mark in the circle under the party name of a political party at the general November election in a presidential year is not considered a direct vote for the candidates of the party for President or Vice President, but is considered a vote for the entire list or set of presidential electors chosen by that party and certified to the Secretary of State as provided in the Law. Under the bill, marking a cross or check mark under the name of a political party would be considered a vote for the presidential electors chosen by that party for that Congressional district and for the State at large.

The bill would take effect 90 days after its enactment.

MCL 168.42 & 168.45

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco