

# SENATE BILL No. 197

March 11, 2015, Introduced by Senator HILDENBRAND and referred to the Committee on Elections and Government Reform.

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~~ **VICE PRESIDENT** of the  
5 United States equal to the number of senators and representatives  
6 in congress that this state is entitled to elect. The chairperson  
7 and the secretary of the state central committee of each political  
8 party shall, within 1 business day after the conclusion of the  
9 state convention, forward by registered or certified mail a  
10 certificate containing the names of the candidates for electors to  
11 the secretary of state. ~~The candidates for electors of president~~

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

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

6 (A) THE NUMBER OF PRESIDENTIAL ELECTORS ALLOCATED TO THE  
7 POLITICAL PARTY OF THE CANDIDATE RECEIVING THE MOST STATEWIDE  
8 POPULAR VOTES FOR PRESIDENT OF THE UNITED STATES SHALL BE  
9 CALCULATED BY MULTIPLYING THE TOTAL NUMBER OF PRESIDENTIAL ELECTORS  
10 THIS STATE IS ENTITLED TO ELECT UNDER SUBSECTION (1) BY THE  
11 PERCENTAGE OF STATEWIDE POPULAR VOTES FOR PRESIDENT OF THE UNITED  
12 STATES THAT THAT PARTY'S CANDIDATE RECEIVES. IF THE NUMBER OF  
13 PRESIDENTIAL ELECTORS ALLOCATED UNDER THIS SUBDIVISION IS NOT A  
14 WHOLE NUMBER, THEN A FRACTIONAL NUMBER OF 0.5 OR GREATER SHALL BE  
15 ROUNDED UP TO THE NEAREST WHOLE NUMBER AND A FRACTIONAL NUMBER OF  
16 LESS THAN 0.5 SHALL BE ROUNDED DOWN TO THE NEAREST WHOLE NUMBER.

17 (B) THE REMAINING NUMBER OF PRESIDENTIAL ELECTORS THAT THIS  
18 STATE IS ENTITLED TO ELECT AS PROVIDED IN SUBSECTION (1) THAT ARE  
19 NOT ALLOCATED UNDER SUBDIVISION (A) SHALL BE ALLOCATED TO THE  
20 POLITICAL PARTY OF THE CANDIDATE RECEIVING THE SECOND MOST  
21 STATEWIDE POPULAR VOTES FOR PRESIDENT OF THE UNITED STATES.

22 (3) THE CANDIDATES FOR ELECTORS OF PRESIDENT AND VICE  
23 PRESIDENT OF EACH POLITICAL PARTY WHO SHALL BE CONSIDERED ELECTED  
24 ARE THOSE WHOSE NAMES HAVE BEEN CERTIFIED TO THE SECRETARY OF STATE  
25 UNDER SUBSECTION (1) AND WHO HAVE BEEN SELECTED BY EACH POLITICAL  
26 PARTY BASED ON THE ALLOCATION OF PRESIDENTIAL ELECTORS UNDER  
27 SUBSECTION (2).

1           (4) SUBSECTIONS (2) AND (3) DO NOT APPLY IN ANY YEAR IN WHICH  
2 THE INTERSTATE COMPACT TO ELECT THE PRESIDENT BY NATIONAL POPULAR  
3 VOTE GOVERNS THE APPOINTMENT OF PRESIDENTIAL ELECTORS IN THIS  
4 STATE.

5           Enacting section 1. This amendatory act takes effect 90 days  
6 after the date it is enacted into law.

7           Enacting section 2. This amendatory act does not take effect  
8 unless Senate Bill No. 88 of the 98th Legislature is enacted into  
9 law.