

Legislative Analysis



ELECTORAL VOTES ALLOCATED BY CONGRESSIONAL DISTRICT

House Bill 4319 as introduced
Sponsor: Rep. Beau Matthew LaFave

House Bill 4320 as introduced
Sponsor: Rep. Jeff Yaroch

Committee: Elections and Ethics
Revised 4-24-21

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Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bills 4319 and 4320 would amend the Michigan Election Law to change how Michigan's votes in the Electoral College are allocated in a presidential election.

Article II, section 1, clause 2 of the U.S. Constitution provides that each state may appoint a number of electors equal to the number of representatives and senators representing the state in Congress and that the method of elector selection is determined by each state's legislature.

Currently, each political party in Michigan chooses its electors at its fall convention. Then, the party leaders report the names of the electors to the secretary of state. The individuals who serve as the state's electors are those representing the ticket that wins the state's popular vote.

Under HB 4319, most of the state's electors would instead be determined on a district-by-district basis, with the elector from each U.S. congressional district being the one representing the popular vote winner from that district. The two at-large electors would still be those representing the ticket who won the statewide popular vote.

House Bill 4320 would amend the section of the act that describes the function of the electoral college—that a voter is not casting a direct vote for the candidates for president and vice-president, but rather for the electors representing them. It would similarly provide that the electors would be selected based on the popular vote winner of each congressional district (and two at-large electors).

HB 4319: MCL 168.42
HB 4320: MCL 168.45

BACKGROUND:

Michigan is currently one of 48 states (plus the District of Columbia) with a winner-take-all system of allocating electoral votes.¹ Maine and Nebraska are the two exceptions and use the "district" method proposed in the bill—one elector per congressional district and two electors for the ticket with the highest statewide vote.

¹ <https://www.ncsl.org/research/elections-and-campaigns/the-electoral-college.aspx>

FISCAL IMPACT:

The bills would have no fiscal impact on the state or on local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.