

## REPLACEMENT OF COUNTY COMMISSIONER CANDIDATE DUE TO DEATH

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<http://www.house.mi.gov/hfa>

**House Bill 4736 as introduced**  
**Sponsor: Rep. Rachelle Smit**  
**Committee: Election Integrity**  
**Complete to 8-18-25**

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

### SUMMARY:

House Bill 4736 would amend the Michigan Election Law to revise provisions related to replacing partisan county commissioner candidates who have died before the election and provisions related to the withdrawal of county commissioner candidates.

#### **Death of nominated candidate**

Currently, if a candidate nominated by a political party for county commissioner dies before the election, the county executive committee of that party must select a replacement candidate by majority vote. The replacement's name must be transmitted to the applicable election officials and must replace the original candidate's name on every ballot.

The bill would add that the replacement candidate must be a resident and registered elector of the district where the vacancy occurred.

#### **Death of qualified candidate**

The bill would further provide that if the candidate of a political party for the office of county commissioner dies after the last day for qualifying (leaving that party without a candidate for that office), the party's county executive committee must select a replacement candidate and transmit their name to the appropriate election officials. The replacement candidate would have to be a resident and registered elector of the district where the vacancy occurred.

#### **Withdrawal of candidate**

Currently, a candidate of a political party who has filed a nominating petition or filing fee for county commissioner and has been nominated for that office by a political party cannot withdraw unless they become physically unfit or move from the county or district they were nominated from.

The bill would keep the above provision and would add that a candidate for county commissioner who has filed a nominating petition or filing fee is not allowed to withdraw unless a written notice of withdrawal is served on the county clerk or their authorized agent by 4 p.m. on the third day after the last day for filing the nominating petition or filing fee (or the next business day if the third day is a holiday or weekend day).

MCL 168.194, 168.195, and 168.198

**FISCAL IMPACT:**

The bill would have no fiscal impact on the state or 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.