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TERM LIMITS FOR HOME RULE CITY COUNCIL MEMBERS

House Bill 5182

Sponsor: Rep. LaMar Lemmons III

Committee: Constitutional Law and Ethics

Complete to 8-24-00

A SUMMARY OF HOUSE BILL 5182 AS INTRODUCED 12-9-99

The bill would add a new section to the Home Rule City Act to place term limits for city council members on the ballot, and, if approved, would limit a person to a maximum of three terms on the city council.

More specifically, the bill would require a city with a population of not less than 800,000 (as determined by the most recent federal decennial census) to place on the ballot at the general primary election held on the Tuesday following the first Monday in August 2000 (i.e. August 8, 2000) a question in substantially the following form:

Shall a person be limited to serving on the city council for a total of 3 terms, with a person appointed or elected to fill a vacancy on the city council for a period greater than 1/2 of a term considered to have been elected to serve 1 time on the city council, and shall this limitation apply to persons elected to the city council on or after January 1, 1988? Yes (___) No (___)

The results of the vote would be canvassed by the local board of canvassers under the Michigan Election Law, and if the question were approved, a person could not be elected to serve on the city council for more than three terms.

To comply with and implement the bill, the city clerk would be required to promulgate necessary election rules and procedures consistent with other provisions of the city charter. The city council would be allowed to amend the charter to comply with the bill in the same manner provided by law and charter for the adoption of an ordinance. However, any charter amendment to comply with the bill would have to take effect immediately upon adoption by the city council, and the city clerk would be required to file a copy of any charter amendment with the secretary of state and the county clerk. The bill also would specify that the current statutory procedures for amending home rule city charters would not apply to a charter amendment required by the bill.

MCL 117.3a

Analyst: S. Ekstrom

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