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BILL ANALYSIS

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Senate Bill 687 (as introduced 9-16-03)
Sponsor: Senator Michael D. Bishop
Committee: Local, Urban and State Affairs

Date Completed: 10-9-03

CONTENT

The bill would amend Public Act 139 of 1973, which provides for an optional unified form of county government, to provide that if a vacancy occurred in the office of the elected county executive due to death or resignation of the executive, the chief deputy would have to serve as the county executive until the county board of commissioners appointed a successor to the elected county executive, or until a special election was held. If the chief deputy were unable to serve as the county executive due to his or her death or resignation, the next highest ranking deputy would have to serve as the county executive until the county board of commissioners appointed a successor, or until a special election was held.

Currently, if the office of elected county executive becomes vacant due to death or resignation, the county board of commissioners must appoint a new county executive to serve until the next general election. The bill would delete this requirement.

The bill provides that if the county board of commissioners chose to appoint a successor, the appointment would have to be made within 30 days from the date of the death or resignation. An appointed county executive would serve until the next general election. If the board did not make an appointment within 30 days, a special election would have to be held at the earliest possible date allowed by law.

Currently, a new county executive must be elected at the next general election after the death or resignation of a county executive, as provided in the Act for the election of county executives. The newly elected county executive must serve a term equal to the balance of the term for which the county executive who died or resigned was elected. The bill would retain these provisions.

The bill would require a county executive, within 10 days after being elected, to appoint a chief deputy. The county executive also could appoint additional deputies whom he or she considered necessary to perform the functions and duties of the office of elected county executive. The county executive would have to file a statement with the county clerk identifying the individual appointed as chief deputy and all other individuals appointed as a deputy. The statement would have to identify the ranking order of the deputies.

If the county executive were absent or unable to perform the duties of his or her office, the chief deputy would have to perform the duties of the county executive until the county executive could resume the duties.

The county executive could revoke his or her appointments at any time.

MCL 45.559 & 45.560

Legislative Analyst: George Towne

FISCAL IMPACT

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

Fiscal Analyst: David Zin