



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5997 (Substitute H-1 as passed by the House)
House Bills 5998 and 5999 (as passed by the House)
House Bill 6000 (Substitute H-1 as passed by the House)
House Bill 6004 (as passed by the House)

Sponsor: Representative Doug Hart (H.B. 5997)
Representative Ann Jamnick (H.B. 5998)
Representative Joe Hune (H.B. 5999)
Representative Frank Accavitti, Jr. (H.B. 6000)
Representative Brian Palmer (H.B. 6004)

House Committee: Local Government and Urban Policy
Senate Committee: Government Operations

Date Completed: 6-29-04

CONTENT

House Bills 5997 (H-1) through 6000 (H-1) would make various changes to the Michigan Election Law pertaining to city, village, and school district elections. The bills would do the following:

- Permit a city to hold its regular election on the day of the even-year general election.
- Require a village to conduct its regular election, if it chose to hold it at the September primary, and require a township to make voting equipment available to the village.
- Provide that, if the date for holding a jurisdiction's regular election had changed under recent amendments to the Election Law, the term of an official elected before the effective date of the change would continue until a successor was elected.
- Permit a city council that held its regular election for city offices annually or in the even year to change its regular election schedule to the odd-year general election and the odd-year primary.
- Permit a village to change its regular election to the November general election.
- Require that the wording of a ballot question be certified to the local or county clerk at least 60 days before the election date if a local, school district, or county ballot question were to be voted on when no State or Federal offices were to be voted upon.

House Bill 6004 would amend the Home Rule Village Act to cite a section of the Michigan Election Law in a provision governing the day on which a village holds its regular or special election.

House Bill 5997 (H-1)

Section 642 of the Election Law governs the dates on which cities, villages, townships, and school districts hold their regular and primary elections. The bill would amend this section to provide that if, on September 1, 2004, a city held its regular election annually on the

November regular election date, the city council could choose to hold the regular election at the even-year general election by adopting a resolution in compliance with Section 642. Except as provided by Section 642a, if a city council adopted such a resolution, after December 31, 2004, the city's regular election would be at the even-year election. If a city's regular election were held at the even-year general election, the city's regular election primary would have to be held at the even-year primary election. (Section 642a allows cities and school districts to change their regular election to the odd-year general election.)

A city that held its regular election primary for a city office annually or, in the even year, on the August regular primary election date, would have to continue holding primary elections on that schedule.

The Election Law allows a village to hold the regular election at the September primary election by adopting a resolution in compliance with the Section 642. The bill would allow a village to make a one-time choice to do so. If a village made this choice, the village clerk would have to conduct the election. The resolution could provide for the terms of office and for staggered terms.

The Law requires a village to pay a township all or part of the costs of conducting a village election, depending on whether the township is conducting another election. The bill would require the township to make voting equipment available to a village if the village conducted an election. The township with the largest number of village electors would have to furnish the voting equipment if the village were located in more than one township.

The Law requires at least one public hearing to be held on a resolution adopted under Section 642. The bill would allow the public hearing to be held on the same day and immediately before adoption of the resolution was considered.

House Bill 5998

Under the Michigan Election Law, if the date for holding a jurisdiction's regular election was changed under recent amendments to Sections 642 and 642a, the term of an official elected before the effective date of the change continues until a successor is elected and qualified at the next regular election "following the date the official's term would have ended but for the change of the day of the jurisdiction's regular election". The bill would remove the quoted language.

House Bill 5999

The bill would amend Section 642a of the Michigan Election Law to provide that after December 31, 2004, a city council that held its regular election for city offices annually or in the even year on the November general election date could change its regular election schedule to the odd-year general election and the odd-year primary election by adopting a resolution in compliance with Section 642. Should the city adopt the resolution, its regular election would be at the odd-year general election and its primary would be at the odd-year primary election.

Also, after December 31, 2004, a village council that adopted a resolution so that its regular election was held on the September primary election date could change its regular election to the November regular election date by adopting a resolution in compliance with Section 642. If the village council adopted such a resolution, after December 31 of the year in which the resolution was adopted, the village's regular election would be at the November regular election date.

House Bill 6000 (H-1)

Under the Election Law, if a local, school district, or county ballot question is to be voted upon at a primary, special, regular, or general election at which State officers are to be voted for, the ballot wording must be certified to the local or county clerk at least 70 days before the election. Under the bill, this would apply if a local, school district, or county ballot question were to be voted on at a regular election date or special election.

The bill provides that, if a local, school district, or county ballot question were to be voted on at a regular election date or special election at which no State or Federal offices were to be voted for, the wording of a ballot question would have to be certified to the local or county clerk responsible for printing the ballots at least 60 days before the election date.

House Bill 6004

The Home Rule Village Act provides that, notwithstanding a charter provision stating otherwise, the day on which a home rule village holds its regular or special election is governed by Michigan Election Law, or by a resolution adopted in compliance with Section 642 of the Law. The bill would refer to a resolution adopted in compliance with Section 642 or 642a.

MCL 78.21 (H.B. 6004)
MCL 168.642 (H.B. 5997)
MCL 168.644g (H.B. 5998)
MCL 168.642a (H.B. 5999)
MCL 168.646a (H.B. 6000)

Legislative Analyst: J.P. Finet

FISCAL IMPACT

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

Fiscal Analyst: Bill Bowerman

S0304\5997sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.