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BILL ANALYSIS

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Senate Bills 755 and 756 (as introduced 8-19-09)
Sponsor: Senator Michael Switalski (S.B. 755)
Senator Roger Kahn, M.D. (S.B. 756)
Committee: Education

Date Completed: 3-4-10

CONTENT

The bills would amend the Michigan Election Law to delete provisions permitting a school district to call a special election on a special election date.

The bills are tie-barred to each other.

Senate Bill 755

Under the Election Law, a school district may call a special election to submit a ballot question to borrow money, increase a millage, or establish a bond if an initiative petition that is signed by a certain minimum number of registered electors is filed with the county clerk.

If the special election is not scheduled to be held on a regular election date, it must be held on a Tuesday. A special election may not be held within 30 days before or 35 days after a regular election date. A school district may call only one special election in each calendar year.

The bill would delete those and related provisions.

The Election Law requires a special election to be held on a regular election date, except as otherwise provided, and designates regular election dates in February, May, August, and November. The bill would retain these provisions.

Senate Bill 756

The Election Law permits a school board to submit a ballot question to the school electors on one of the following dates:

- A regular election date.
- A date when a city or township is holding an election, by adopting a resolution.
- A special election date.

The bill would delete the reference to a special election date.

If a special election is called, the Law requires the school district election coordinating committee to schedule the special election date. The bill would delete that provision.

MCL 168.641 (S.B. 755)
168.312 (S.B. 756)

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bills would have no fiscal impact on State government.

There would be minimal savings to school districts due to the elimination of the "floater" date for special elections for the purpose of borrowing money, increasing a millage, or establishing a bond. On average, not more than 10 "floater" date special elections are held per year. School districts still would have the option to use one of the other four dates specified for the special elections, and it is presumed that instead of using a "floater" date, a district would choose one of the other four dates, thereby not generating any savings (unless the district chose a local election on which to "piggyback", which is an option already available).

Fiscal Analyst: Kathryn Summers

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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.