

SENATE BILL No. 755

August 19, 2009, Introduced by Senator SWITALSKI and referred to the Committee on Education.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 641 (MCL 168.641), as amended by 2005 PA 71.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 641. (1) Except as otherwise provided in this section and
2 sections 642 and 642a, beginning January 1, 2005, an election held
3 under this act shall be held on 1 of the following regular election
4 dates:

5 (a) The February regular election date, which is the fourth
6 Tuesday in February.

7 (b) The May regular election date, which is the first Tuesday
8 after the first Monday in May.

1 (c) The August regular election date, which is the first
2 Tuesday after the first Monday in August.

3 (d) The November regular election date, which is the first
4 Tuesday after the first Monday in November.

5 (2) If an elective office is listed by name in section 643,
6 requiring the election for that office to be held at the general
7 election, and if candidates for the office are nominated at a
8 primary election, the primary election shall be held on the August
9 regular election date.

10 (3) Except as otherwise provided in this subsection, ~~and~~
11 ~~subsection (4),~~ a special election shall be held on a regular
12 election date. A special election called by the governor under
13 section 145, 178, 632, 633, or 634 to fill a vacancy or called by
14 the legislature to submit a proposed constitutional amendment as
15 authorized in section 1 of article XII of the state constitution of
16 1963 may, but is not required to be, held on a regular election
17 date.

18 ~~—— (4) A school district may call a special election to submit a~~
19 ~~ballet question to borrow money, increase a millage, or establish a~~
20 ~~bond if an initiative petition is filed with the county clerk. The~~
21 ~~petition shall be signed by a number of qualified and registered~~
22 ~~electors of the district equal to not less than 10% of the electors~~
23 ~~voting in the last gubernatorial election in that district or 3,000~~
24 ~~signatures, whichever number is lesser. Section 488 applies to a~~
25 ~~petition to call a special election for a school district under~~
26 ~~this section. In addition to the requirements set forth in section~~
27 ~~488, the proposed date of the special election shall appear beneath~~

~~1 the petition heading, and the petition shall clearly state the
2 amount of the millage increase or the amount of the loan or bond
3 sought and the purpose for the millage increase or the purpose for
4 the loan or bond. The petition shall be filed with the county clerk
5 by 4 p.m. of the twelfth Tuesday before the proposed date of the
6 special election. The petition signatures shall be obtained within
7 60 days before the filing of the petition. Any signatures obtained
8 more than 60 days before the filing of the petition are not valid.
9 If the special election called by the school district is not
10 scheduled to be held on a regular election date as provided in
11 subsection (1), the special election shall be held on a Tuesday. A
12 special election called by a school district under this subsection
13 shall not be held within 30 days before or 35 days after a regular
14 election date as provided in subsection (1). A school district may
15 only call 1 special election pursuant to this subsection in each
16 ealendar year.~~

~~17 ——— (5) The secretary of state shall make a report to the house
18 and senate committees that consider election issues by December 1,
19 2006. The secretary of state shall report about the special
20 elections held under this subsection, including, but not limited
21 to, all of the following:~~

~~22 ——— (a) The number of times a special election has been held.~~

~~23 ——— (b) Which school districts have held special elections.~~

~~24 ——— (c) Information about the success rate of the ballot question
25 submitted at the special elections.~~

~~26 ——— (d) Information about voter turnout, including the percentage
27 and number of registered voters who voted in each special election.~~

1 (4) ~~(6)~~—The secretary of state shall direct and supervise the
2 consolidation of all elections held under this act.

3 (5) ~~(7)~~—This section shall be known and may be cited as the
4 "Hammerstrom election consolidation law".

5 Enacting section 1. This amendatory act does not take effect
6 unless Senate Bill No. 756

7 of the 95th Legislature is enacted into law.