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## BILL ANALYSIS



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Senate Bills 810 and 811 (as introduced 11-10-11)  
Sponsor: Senator Goeff Hansen  
Committee: Local Government and Elections

Date Completed: 9-12-12

**CONTENT****Senate Bill 810 would amend the Michigan Election Law to do the following:**

- **Eliminate a provision allowing a village regular election to be held in September, and instead require a village regular election to be held at the general November election.**
- **Delete several references to a village regular election held in September.**
- **Allow a city that held its regular election for city offices annually or in the odd year on the November regular election date to change its regular election schedule to the even year general election and the even year primary election.**

**Senate Bill 811 would amend the General Law Village Act to eliminate references to a village election held in September with regard to the beginning dates of village officials' terms of office.**

Senate Bill 811 is tie-barred to Senate Bill 810.

**Senate Bill 810****Village Elections**

As a rule, a village must hold its regular election for a village office at the general election (i.e., the election held in November in an even-numbered year). A village council, however, may make a one-time choice to hold the regular election at the September primary election by adopting a resolution in compliance with the Election Law.

Except as otherwise provided in certain sections of the Law, the qualifications, nomination, election, appointment, term of office, and removal from office of a village officer is as determined by the charter provisions governing the village. The bill would include Section 642a among the exceptions to this provision.

Section 642a allows a village council that adopted a resolution so that its regular election is held on the September election date to change its regular election to the November regular election date by adopting another resolution. The revised election date takes effect after December 31 of the year in which the resolution is adopted. The bill would delete these provisions. Instead, after December 31, 2011, a village that adopted a resolution so that its regular election was held at the September election would have to hold its regular election at the general November election.

The bill would delete the definition of "September election", which means the election held on the first Tuesday after the second Monday in September in an odd year for the election of village officers.

Generally, nominating petitions for village offices must be filed with the appropriate township clerk by 4 p.m. on the 12<sup>th</sup> Tuesday before the general November election. The Law makes an exception, however, if the village council adopts a resolution to hold its regular election in September. In that case, the nominating petitions must be filed by 4 p.m. on the 12<sup>th</sup> Tuesday before the September election. The bill would eliminate the exception for a September election.

The bill also would repeal Section 500f. Under that section, in the case of an election for village officers only, a township clerk must transmit to the clerk of a village that lies partly or completely in the township and that holds its regular election in September the information necessary to complete the village registration of a registered elector.

### City Elections

Under the bill, after December 31, 2011, a city that held its regular election for city offices annually or in the odd year on the November regular election date could change its regular election schedule to the even year general election and the even year primary election by adopting a resolution in compliance with the Law. The revised election schedule would take effect after December 31 of the year in which the resolution was adopted.

### **Senate Bill 811**

Under the General Law Village Act, the term of office for a president, clerk, treasurer, and trustee elected at a village's regular election begins on one of the following dates, after the officer's election and qualification:

- If the regular election is held at the general election, November 20.
- If the regular election is held at the September primary election, October 1.

The bill would eliminate the reference to a regular election held at the September primary election; all terms of office would begin on November 20.

The Act also requires the village council to appoint one of its members president pro tempore on either November 20 or October 1, depending on whether the regular election was held at the general election or the September primary election. The bill would eliminate the references to a regular election held in September, and would require the president pro tempore to be appointed on November 20.

MCL 168.4 et al. (S.B. 810)  
62.4 et al. (S.B. 811)

Legislative Analyst: Julie Cassidy

### **FISCAL IMPACT**

### **Senate Bill 810**

The bill would have no fiscal impact on State government. The bill would result in savings for local units of government by eliminating the September elections. According to the Secretary of State, the average cost of an election is approximately \$2,000 per precinct. The savings would correspond with the number of precincts in a local unit that would eliminate a September election. By moving these local elections to the November general election, there would be no additional costs to the local unit as the general election costs are already budgeted.

**Senate Bill 811**

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

Fiscal Analyst: Joe Carrasco

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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.