

**SUBSTITUTE FOR  
SENATE BILL NO. 810**

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending sections 4, 381, and 642a (MCL 168.4, 168.381, and  
168.642a), section 4 as amended by 2010 PA 181, section 381 as  
amended by 2012 PA 276, and section 642a as amended by 2011 PA 233;  
and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 4. As used in this act:

2           (a) "School board" means the governing body of a school  
3 district, including the board of trustees of a community college.

4           (b) "School board member" means an individual holding the  
5 office of school board member under the revised school code, 1976

1 PA 451, MCL 380.1 to 380.1852, or the office of board of trustees  
2 member under the community college act of 1966, 1966 PA 331, MCL  
3 389.1 to 389.195. School board member includes a school board  
4 member of an intermediate school district if that intermediate  
5 school district has adopted sections 615 to 617 of the revised  
6 school code, 1976 PA 451, MCL 380.615 to 380.617.

7 (c) "School district" means a school district, a local act  
8 school district, or an intermediate school district, as those terms  
9 are defined in the revised school code, 1976 PA 451, MCL 380.1 to  
10 380.1852, or a community college district under the community  
11 college act of 1966, 1966 PA 331, MCL 389.1 to 389.195.

12 (d) "School district election coordinating committee" means 1  
13 of the following:

14 (i) For a school district whose entire territory lies within a  
15 single city or township, a committee composed of the secretary of  
16 the school board or his or her designee, the city or township  
17 election commission, and the school district election coordinator.

18 (ii) For a school district that has territory in more than 1  
19 city or township, a committee composed of the secretary of the  
20 school board or his or her designee, the school district election  
21 coordinator, and the clerk of each city or township in which school  
22 district territory is located.

23 (e) "School district election coordinator" means 1 of the  
24 following:

25 (i) For a school district whose entire territory lies within a  
26 single city or township, the city or township clerk.

27 (ii) For a school district that has territory in more than 1

1 city or township, the county clerk of the county in which the  
2 largest number of registered school district electors reside.

3 ~~— (f) "September election" means the election held on the first~~  
4 ~~Tuesday after the second Monday in September in an odd year for the~~  
5 ~~election of village offices.~~

6 (F) ~~(g)~~—"Special election" means an election to elect an  
7 individual to, or nominate an individual for, a partial term in  
8 office or to submit a ballot question to the electors.

9 (G) ~~(h)~~—"Special primary" means a primary called by competent  
10 authority for the nomination of candidates to be voted for at a  
11 special election.

12 (H) ~~(i)~~—"Uniform voting system" means the voting system that  
13 is used at all elections in every election precinct throughout the  
14 state.

15 (I) ~~(j)~~—"Village" is defined in section 9.

16 Sec. 381. (1) Except as provided in this section and sections  
17 383, 641, 642, **642A**, and 644g, the qualifications, nomination,  
18 election, appointment, term of office, and removal from office of a  
19 village officer shall be as determined by the charter provisions  
20 governing the village.

21 (2) If the membership of the village council of a village  
22 governed by the general law village act, 1895 PA 3, MCL 61.1 to  
23 74.25, is reduced to less than a quorum of 4 and a special election  
24 for the purpose of filling all vacancies in the office of trustee  
25 is called under section 13 of chapter II of the general law village  
26 act, 1895 PA 3, MCL 62.13, temporary appointments of trustees shall  
27 be made as provided in this subsection. The board of county

1 election commissioners of the county in which the largest portion  
2 of the population of the village is situated shall make temporary  
3 appointment of the number of trustees required to constitute a  
4 quorum for the transaction of business by the village council. A  
5 trustee appointed under this subsection shall hold the office only  
6 until the trustee's successor is elected and qualified. A trustee  
7 who is temporarily appointed under this subsection shall not vote  
8 on the appointment of himself or herself to an elective or  
9 appointive village office.

10 (3) Notwithstanding another provision of law or charter to the  
11 contrary, an appointment to an elective or appointive village  
12 office made by a quorum constituted by temporary appointments under  
13 this subsection expires upon the election and qualification of  
14 trustees under the special election called to fill the vacancies in  
15 the office of trustee.

16 (4) Filing for a village office shall be with the township  
17 clerk if the township is conducting the election or if the village  
18 is located in more than 1 township with the township in which the  
19 largest number of the registered electors of the village reside.  
20 Until December 31, 2013, ~~and except as provided in subsection (5),~~  
21 nominating petitions for village offices shall be filed with the  
22 appropriate township clerk by 4 p.m. on the twelfth Tuesday before  
23 the general November election. Beginning January 1, 2014, ~~and~~  
24 ~~except as otherwise provided in subsection (5),~~ nominating  
25 petitions for village offices shall be filed with the appropriate  
26 township clerk by 4 p.m. on the fifteenth Tuesday before the  
27 general November election. After a nominating petition is filed for

1 a candidate for a village office, the candidate is not permitted to  
2 withdraw unless a written withdrawal notice, signed by the  
3 candidate, is filed with the appropriate township clerk not later  
4 than 4 p.m. of the third day after the last day for filing the  
5 nominating petition.

6 ~~—— (5) Until December 31, 2013, if a village council adopts a~~  
7 ~~resolution in compliance with section 642(7) to hold its regular~~  
8 ~~election at the September election, the nominating petitions for~~  
9 ~~village offices to be filled at the September election shall be~~  
10 ~~filed with the village clerk by 4 p.m. on the twelfth Tuesday~~  
11 ~~before the September election. Beginning January 1, 2014, if a~~  
12 ~~village adopts a resolution in compliance with section 642(7) to~~  
13 ~~hold its regular election at the September election, the nominating~~  
14 ~~petitions for village offices to be filled at the September~~  
15 ~~election shall be filed with the village clerk by 4 p.m. on the~~  
16 ~~fifteenth Tuesday before the September election. After a nominating~~  
17 ~~petition is filed for a candidate for a village office, the~~  
18 ~~candidate is not permitted to withdraw unless a written withdrawal~~  
19 ~~notice, signed by the candidate, is filed with the village clerk~~  
20 ~~not later than 4 p.m. of the third day after the last day for~~  
21 ~~filing the nominating petition.~~

22       Sec. 642a. (1) After December 31, 2004, a city council that  
23 adopted a resolution so that its regular election is held on the  
24 May regular election date may change its regular election to the  
25 odd year general election by adopting a resolution in compliance  
26 with section 642. If a city council adopts the resolution in  
27 compliance with section 642 to hold its regular election at the odd

1 year general election, after December 31 of the year in which the  
2 resolution is adopted, the city's regular election is at the odd  
3 year general election.

4 (2) After December 31, 2004, a city council that holds its  
5 regular election for city offices annually or in the even year on  
6 the November regular election date may change its regular election  
7 schedule to the odd year general election and the odd year primary  
8 election by adopting a resolution in compliance with section 642.  
9 If a city council adopts the resolution in compliance with section  
10 642, the city's regular election is at the odd year general  
11 election and its primary is at the odd year primary election.

12 (3) After December 31, 2010, a city that adopted a resolution  
13 so that its regular election primary is held at the September  
14 election shall hold its regular election primary at the odd year  
15 primary election.

16 ~~—— (4) After December 31, 2004, a village council that adopted a~~  
17 ~~resolution so that its regular election is held on the September~~  
18 ~~election date may change its regular election to the November~~  
19 ~~regular election date by adopting a resolution in compliance with~~  
20 ~~section 642. If a village council adopts the resolution in~~  
21 ~~compliance with section 642 to hold its regular election at the~~  
22 ~~November regular election date, after December 31 of the year in~~  
23 ~~which the resolution is adopted, the village's regular election is~~  
24 ~~at the November regular election date.~~

25 (4) AFTER DECEMBER 31, 2011, A CITY THAT HOLDS ITS REGULAR  
26 ELECTION FOR CITY OFFICES ANNUALLY OR IN THE ODD YEAR ON THE  
27 NOVEMBER REGULAR ELECTION DATE MAY CHANGE ITS REGULAR ELECTION

1 SCHEDULE TO THE EVEN YEAR GENERAL ELECTION AND THE EVEN YEAR  
2 PRIMARY ELECTION BY ADOPTING A RESOLUTION IN COMPLIANCE WITH  
3 SECTION 642. IF A CITY COUNCIL ADOPTS THE RESOLUTION IN COMPLIANCE  
4 WITH SECTION 642, AFTER DECEMBER 31 OF THE YEAR IN WHICH THE  
5 RESOLUTION IS ADOPTED, THE CITY'S REGULAR ELECTION IS AT THE EVEN  
6 YEAR GENERAL ELECTION AND ITS PRIMARY IS AT THE EVEN YEAR PRIMARY  
7 ELECTION.

8 (5) AFTER DECEMBER 31, 2011, A VILLAGE THAT ADOPTED A  
9 RESOLUTION SO THAT ITS REGULAR ELECTION IS HELD AT THE SEPTEMBER  
10 ELECTION SHALL HOLD ITS REGULAR ELECTION AT THE GENERAL NOVEMBER  
11 ELECTION.

12 Enacting section 1. Section 500f of the Michigan election law,  
13 1954 PA 116, MCL 168.500f, is repealed.