

SENATE BILL No. 1385

November 27, 2012, Introduced by Senator JOHNSON and referred to the Committee on Local Government and Elections.

A bill to amend 1966 PA 293, entitled

"An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies,"

(MCL 45.501 to 45.521) by adding section 11b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SEC. 11B. (1) IF THE OFFICE OF ELECTED COUNTY EXECUTIVE BECOMES VACANT DUE TO RESIGNATION OR DEATH, THE PRESIDING OR SENIOR JUDGE OF PROBATE, THE COUNTY CLERK, AND THE PROSECUTING ATTORNEY SHALL APPOINT A SUCCESSOR TO FILL THE VACANCY.

(2) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A PERSON

1 APPOINTED UNDER SUBSECTION (1) SHALL HOLD OFFICE FOR THE REMAINDER
2 OF THE UNEXPIRED TERM AND UNTIL A SUCCESSOR IS ELECTED AND
3 QUALIFIED. HOWEVER, IF THE NEXT GENERAL ELECTION IS TO BE HELD MORE
4 THAN 182 DAYS AFTER THE VACANCY OCCURS, AND IT IS NOT THE GENERAL
5 NOVEMBER ELECTION AT WHICH A SUCCESSOR IN OFFICE WOULD BE ELECTED
6 IF THERE WERE NO VACANCY, THE PERSON APPOINTED SHALL HOLD OFFICE
7 ONLY UNTIL A SUCCESSOR IS ELECTED AT THE NEXT GENERAL NOVEMBER
8 ELECTION IN THE MANNER PROVIDED BY LAW AND QUALIFIES FOR OFFICE.
9 THE NEWLY ELECTED COUNTY EXECUTIVE SHALL SERVE A TERM EQUAL TO THE
10 BALANCE OF THE TERM FOR WHICH THE COUNTY EXECUTIVE WHO RESIGNED OR
11 DIED WAS ELECTED.