

SENATE BILL NO. 713

January 09, 2020, Introduced by Senator BUMSTEAD and referred to the Committee on Local Government.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 381 (MCL 168.381), as amended by 2018 PA 120.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 381. (1) Except as provided in this section and sections
2 383, 641, 642, 642a, and 644g, the qualifications, nomination,
3 election, appointment, term of office, and removal from office of a
4 village officer must be as determined by the charter provisions
5 governing the village.

6 (2) If the membership of the village council of a village

1 governed by the general law village act, 1895 PA 3, MCL 61.1 to
2 74.25, is reduced to less than a quorum of 4 and a special election
3 for the purpose of filling all vacancies in the office of trustee
4 is called under section 13 of chapter II of the general law village
5 act, 1895 PA 3, MCL 62.13, temporary appointments of trustees must
6 be made as provided in this subsection. The ~~board of county~~
7 ~~election commissioners of the county in which the largest portion~~
8 ~~of the population of the village is situated~~ **remaining council**
9 **members** shall make temporary appointment of the number of trustees
10 required to constitute a quorum for the transaction of business by
11 the village council. A trustee appointed under this subsection
12 shall hold the office only until the trustee's successor is elected
13 and qualified. A trustee who is temporarily appointed under this
14 subsection shall not vote on the appointment of himself or herself
15 to an elective or appointive village office.

16 (3) Notwithstanding another provision of law or charter to the
17 contrary, an appointment to an elective or appointive village
18 office made by a quorum constituted by temporary appointments under
19 this subsection expires upon the election and qualification of
20 trustees under the special election called to fill the vacancies in
21 the office of trustee.

22 (4) Filing for a village office must be with the township
23 clerk if the township is conducting the election or if the village
24 is located in more than 1 township with the township in which the
25 largest number of the registered electors of the village reside.
26 Nominating petitions for village offices must be filed with the
27 appropriate township clerk by 4 p.m. on the fifteenth Tuesday
28 before the general November election. After a nominating petition
29 is filed for a candidate for a village office, the candidate is not

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

5 Enacting section 1. This amendatory act does not take effect
6 unless Senate Bill No. 712 of the 100th Legislature is enacted into
7 law.