

Legislative Analysis



TOWNSHIP BOARD MEETING VOTE ABSTENTIONS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4860 (H-1) as reported from committee
Sponsor: Rep. Denise Mentzer
Committee: Local Government and Municipal Finance
Complete to 10-26-23

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4860 would amend the Charter Township Act to modify the circumstances under which a township board member would abstain from a vote due to a conflict of interest.

The Charter Township Act currently provides that a township board member who is present at a meeting generally must vote on all questions to be decided by the board, unless that member is unanimously excused by the other present members. A member can also abstain from a vote on an appointment to fill a vacancy in a township office if they are interested in being appointed by the board to fill the vacancy.

House Bill 4860 would instead provide that a member of a township board who is present at a board meeting must vote on all questions unless the board member believes that a conflict of interest exists. If a board member determines that they have a conflict of interest that impacts their duty to the interest of the township, they may abstain from a vote on that question. They would have to announce their intent to abstain from the vote and disclose the basis for the abstention on the official meeting record. (The bill would retain the provision that allows a member to abstain on a vote to fill a township office vacancy if they wish to be appointed to fill the vacancy.) A board member would have to be immediately recognized for the purpose of an abstention.

MCL 42.7

FISCAL IMPACT:

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

POSITIONS:

The following entities indicated support for the bill:

- Michigan Townships Association (9-6-23)
- Orion Township (9-13-23)

Legislative Analyst: Holly Kuhn
Fiscal Analyst: Ben Gielczyk

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