



**House
Legislative
Analysis
Section**

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

FILLING LEGISLATIVE VACANCIES

House Bill 4148
Sponsor: Rep. Dianne Byrum
Committee: House Oversight & Ethics

Complete to 3-8-93

A SUMMARY OF HOUSE BILL 4148 AS INTRODUCED 2-3-93

The bill would amend the Michigan Election Law to specify when a special election must be called to fill a vacancy in the state Senate or state House of Representatives. The bill would require the governor to call a special primary and special election not later than seven days after a vacancy occurred if the vacancy occurred 60 days or more before the next August primary election in which nominees for that office were to be selected. The special primary would be held no later than 30 days and the special election no later than 60 days after the date the vacancy occurred. However, if a special primary or special general election would, as a result of this bill, be held within 30 days of an August primary or general November election, the special primary or general election would be held in conjunction with the August primary or November election, whichever was applicable.

If a vacancy in those offices occurred closer to the next August primary election than 60 days, the candidate elected at the November election would also be elected to fill the vacancy in the office for the balance of the unexpired term.

The election law currently says: "When a vacancy occurs in the office of senator or representative in the state legislature, the governor may call a special election in that senatorial or representative district or direct that the vacancy be filled at the next general election."

MCL 168.178 and 168.634

House Bill 4148 (3-8-93)