



SENATE BILL No. 111

January 13, 1993, Introduced by Senator DI NELLO and referred to the Committee on Finance.

A bill to amend sections 10 and 492 of Act No. 116 of the Public Acts of 1954, entitled "Michigan election law," section 492 as amended by Act No. 142 of the Public Acts of 1989, being sections 168.10 and 168.492 of the Michigan Compiled Laws; and to add section 488.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 10 and 492 of Act No. 116 of the Public
2 Acts of 1954, section 492 as amended by Act No. 142 of the Public
3 Acts of 1989, being sections 168.10 and 168.492 of the Michigan
4 Compiled Laws, are amended and section 488 is added to read as
5 follows:

6 Sec. 10. The term "qualified elector", as used in this act,
7 shall be construed to mean any person who possesses the
8 qualifications of an elector as prescribed in section 1 of

1 article ~~2~~ II of the state constitution OF 1963 and who, EXCEPT
2 AS PROVIDED BY SECTION 492(2), has resided in the city or town-
3 ship 30 days.

4 SEC. 488. (1) A REFERENDUM ON AN ORDINANCE TO IMPOSE, OR AN
5 AMENDMENT TO SUCH AN ORDINANCE TO INCREASE THE RATE OF, A CITY
6 INCOME TAX THAT IS REQUIRED UNDER THE CITY INCOME TAX ACT, ACT
7 NO. 284 OF THE PUBLIC ACTS OF 1964, BEING SECTIONS 141.501 TO
8 141.787 OF THE MICHIGAN COMPILED LAWS, SHALL BE HELD AS PROVIDED
9 IN THIS SECTION.

10 (2) A REFERENDUM UNDER THIS SECTION FOR RESIDENT ELECTORS OF
11 A CITY SHALL BE CONDUCTED IN THE SAME MANNER AS ANY REFERENDUM ON
12 A CITY ORDINANCE. A REFERENDUM UNDER THIS SECTION FOR QUALIFIED
13 NONRESIDENT ELECTORS SHALL BE CONDUCTED AS PROVIDED IN THIS SEC-
14 TION AND IN THE ABSENTEE BALLOT PROVISIONS OF THIS ACT.

15 (3) A CITY HOLDING A REFERENDUM UNDER THIS SECTION ON A
16 PROPOSITION THAT INCLUDES THE IMPOSITION, INCREASE, OR RENEWAL IN
17 THE RATE OF A NONRESIDENT CITY INCOME TAX SHALL PUBLISH IN A
18 NEWSPAPER OF GENERAL CIRCULATION A FIRST NOTICE FOR THE REFEREN-
19 DUM NOT MORE THAN 60 DAYS BEFORE THE DATE OF THE REFERENDUM AND
20 AT LEAST 1 ADDITIONAL NOTICE NOT MORE THAN 30 AND NOT LESS THAN
21 20 DAYS BEFORE THE DATE OF THE REFERENDUM. A NOTICE UNDER THIS
22 SUBSECTION SHALL APPEAR SEPARATELY FROM A NOTICE FOR AN ELECTION
23 OTHER THAN THE REFERENDUM EVEN IF THE ELECTION IS HELD ON THE
24 SAME DATE.

25 (4) A CITY MAY INCLUDE IN THE APPLICATION FOR AN ABSENTEE
26 BALLOT FOR QUALIFIED NONRESIDENT ELECTORS A STATEMENT FOR THE
27 INDIVIDUAL TO SIGN CERTIFYING THAT HE OR SHE MEETS THE

1 REQUIREMENTS OF SECTION 492. A NONRESIDENT ELECTOR SHALL BE A
2 REGISTERED ELECTOR OF THE CITY, TOWNSHIP, OR VILLAGE IN WHICH THE
3 ELECTOR RESIDES AND SHALL SO STATE ON THE APPLICATION.

4 (5) EVIDENCE OF EMPLOYMENT, AS REQUIRED UNDER SECTION 492,
5 SHALL BE INCLUDED WITH THE APPLICATION FOR AN ABSENTEE BALLOT BY
6 A QUALIFIED NONRESIDENT ELECTOR. THE CITY CLERK OF A CITY CON-
7 DUCTING A REFERENDUM UNDER THIS SECTION SHALL ACCEPT AS ESTAB-
8 LISHING THAT AN INDIVIDUAL IS EMPLOYED IN THAT CITY ANY REASON-
9 ABLE EVIDENCE OF EMPLOYMENT THAT SHOWS THE INDIVIDUAL'S EMPLOY-
10 MENT ADDRESS. REASONABLE EVIDENCE OF EMPLOYMENT UNDER THIS SEC-
11 TION INCLUDES, BUT IS NOT LIMITED TO, ANY OF THE FOLLOWING:

12 (A) A COPY OF THE INDIVIDUAL'S FEDERAL, STATE, OR CITY
13 INCOME TAX FORM FROM THE IMMEDIATELY PRECEDING TAX YEAR.

14 (B) A COPY OF THE INDIVIDUAL'S W-2 FORM FROM THE IMMEDIATELY
15 PRECEDING TAX YEAR.

16 (C) A COPY OF THE INDIVIDUAL'S PAYCHECK OR PAYCHECK WITH-
17 HOLDING INFORMATION THAT WAS ISSUED WITHIN THE IMMEDIATELY PRE-
18 CEDING 30 DAYS.

19 (6) A REFERENDUM UNDER THIS SECTION ON A PROPOSITION THAT
20 INCLUDES THE IMPOSITION, INCREASE, OR RENEWAL IN THE RATE OF A
21 NONRESIDENT CITY INCOME TAX SHALL NOT BE HELD WITHIN 45 DAYS
22 AFTER THE FIRST NOTICE OF THAT REFERENDUM. THE CITY CLERK SHALL
23 NOT ACCEPT AN APPLICATION FOR AN ABSENTEE BALLOT FROM A QUALIFIED
24 NONRESIDENT ELECTOR AFTER 15 DAYS BEFORE THE DATE OF THE
25 REFERENDUM.

26 Sec. 492. (1) Every person who has the following
27 qualifications of an elector, or who will have those

1 qualifications at the next election or primary election, ~~shall~~
2 ~~be~~ IS entitled to be registered as an elector in the township,
3 city, or village in which he or she resides. The person shall be
4 a citizen of the United States; not less than 18 years of age; a
5 resident of the state for not less than 30 days; and a resident
6 of the township, city, or village on or before the thirtieth day
7 before the next regular or special election or primary election.

8 (2) A PERSON WHO HAS THE FOLLOWING QUALIFICATIONS MAY VOTE
9 IN A REFERENDUM ON AN ORDINANCE OF A CITY IMPOSING, OR AN AMEND-
10 MENT TO SUCH AN ORDINANCE THAT INCREASES OR RENEWS THE RATE OF, A
11 NONRESIDENT CITY INCOME TAX PURSUANT TO THE CITY INCOME TAX ACT,
12 ACT NO. 284 OF THE PUBLIC ACTS OF 1964, BEING SECTIONS 141.501 TO
13 141.787 OF THE MICHIGAN COMPILED LAWS:

14 (A) IS A REGISTERED ELECTOR AS PROVIDED IN SUBSECTION (1).

15 (B) DOES NOT RESIDE IN THE CITY IN WHICH THE REFERENDUM IS
16 TO BE HELD.

17 (C) ESTABLISHES, AS PROVIDED IN SECTION 488, THAT HE OR SHE
18 IS EMPLOYED IN THAT CITY.

19 Section 2. This amendatory act shall not take effect unless
20 Senate Bill No. 110

21 of the 87th Legislature is enacted into law.