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BILL ANALYSIS



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Senate Bill 775 (as reported with amendments)
Sponsor: Senator Loren Bennett
Committee: Government Operations

CONTENT

The bill would amend the Michigan Election Law to provide for the conduct of school elections by local units of government. The bill is tie-barred to Senate Bill 773, which would repeal parts of the School Code that govern school elections, and specify that a school's annual election would have to be held at the November general election; Senate Bill 774, which would amend the Election Law to provide for the administration and operation of school elections, and limit the dates upon which school elections could be held; and House Bill 4373, which would amend the Election Law to provide that after 1995 a school board candidate's petition to fill a vacancy created by a recall would have to be filed with the clerk of the local governmental unit. Senate Bill 775 would take effect January 1, 1999.

The bill provides that a township, city, or village board of election commissioners would have to cause the ballots for any regular or special school election to be printed and delivered to the appropriate local unit at least 10 days before the election. Currently, the board of election commissioners must complete this task for any regular or special township, village, or city election.

Under the Election Law, recall petitions must be signed by registered electors of the electoral district of the official whose recall is being sought; however, in a school district where school electors are not required to be registered, persons who sign the petitions do not have to be registered electors. The bill would eliminate the provision regarding unregistered school electors, meaning that recall petitions for school board members would have to be signed by registered electors. Currently, the Election Law provides for the filing of candidate petitions to fill a school board vacancy created by a recall, including a requirement that the petitions be filed with the school board's secretary or in the board of education office. The bill would require that the petitions be filed with the appropriate county, city, or township clerk.

The Election Law allows a community college district or a school district that is wholly or partly within a city or cities to hold an election at times and in a manner specified. The bill would remove school districts from these provisions.

MCL 168.30a

Legislative Analyst: G. Towne

FISCAL IMPACT

Please see FISCAL IMPACT on Senate Bill 774.

Date Completed: 3-15-96

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