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Senate Bill 438 (Substitute S-1 as reported)
Sponsor: Senator Glenn D. Steil
Committee: Government Operations

CONTENT

The bill would amend the Revised School Code to do the following:

- Repeal, on January 1, 2003, parts of the Code that provide for the administration and operation of elections by school districts.
- Specify that a school district's regular election or special election would have to be administered and conducted as provided in Chapter 14 of the Michigan Election Law. (Senate Bill 440 (S-2) would add Chapter 14 to the Michigan Election Law to regulate school elections and provide for them to be conducted by local units of government.)
- Require regular school elections to be held in November of an odd-numbered year, unless a school district chose to hold its regular election in May of an odd-numbered year, or it called a special election. A special election would have to be held on a regular election day. (As proposed in Senate Bill 439 (S-1), a "regular election day" would be a specified day in February, May, August, or November.)
- Provide that school bond questions submitted to the voters for approval would have to include an estimate of the cost of repaying the bonds.

The bill would take effect January 1, 2003, and is tie-barred to Senate Bills 439, 440, and 444.

MCL 380.4 et al.

Legislative Analyst: G. Towne

FISCAL IMPACT

The following fiscal analysis applies to Senate Bills 438 (S-1) through 444 and Senate Bill 760.

State. The bills would have no fiscal impact on State government. The Bureau of Elections serves primarily in an advisory capacity for election administration.

Local. The result of election date consolidation for local jurisdictions would be indeterminate. Responsibility for the conduct of school district elections would be shifted from the secretary of the school board to a school district election committee and coordinator. The coordinator would be either a city, township, or county clerk. School districts would reimburse the appropriate clerk's office for actual election expenses. While it is clear how reimbursement costs for special school elections would be determined, the reimbursement process for regular school elections is not well defined.

The salaries of permanent employees, the cost of reusable supplies and equipment, and costs attributable to local special elections held in conjunction with statewide special elections are not approved costs for reimbursement. It is not likely that the bills would result in higher election costs for school districts. There could be some savings due to efficiencies in the administration of each election.

Senate Bill 440 (S-1) would provide for a school district election coordinating committee to issue a report detailing how a school district election would be conducted. Any changes in election costs resulting from these bills would depend upon the design of the individual plans. Since local jurisdictions maintain their own election administration records, the overall costs cannot be accurately quantified.

Community Colleges. The bills would result in savings for community colleges. Currently, community colleges pay local units or school districts for their election expenses. When their elections coincide with other elections (city, school district, etc.), the colleges share the costs of those elections with the other participants. Senate Bill 444 would repeal the sections of law that require community colleges to pay election expenses to local units of government.

School Districts. Local or intermediate school districts would incur the additional costs of any special elections held to fill a vacancy on a school board. Currently, vacancies are filled by appointment by the remaining school board members. Senate Bill 440 (S-1) would require a vacancy to be filled by appointment until a special election could be held to fill any vacancies; thus, the local or intermediate school districts would be responsible for the costs associated with holding that special election.

Date Completed: 11-20-01

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.