

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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Senate Bills 1092 and 1202 (as passed by the Senate)  
Sponsor: Senator Bev Hammerstrom  
Committee: Government Operations

Date Completed: 7-29-02

### **RATIONALE**

Under the Revised School Code, schools may conduct their own elections if they choose to do so and may establish polling places other than those used during general elections. Although most school board elections are held in June, annual school elections may be held on any one of four dates during the year, and special elections may be held at any time except within 30 days of the November election in an even-numbered year. In addition, counties, cities, villages, and townships hold elections based on their charters or ordinances, on dates that can vary, and special elections may be held at other times. Some people believe that the current system has the potential to confuse voters, and has resulted in school districts' and local units' holding more elections than are needed. In response, a package of bills was introduced to make numerous changes in the way elections are conducted. This package includes a proposal to standardize elections by restricting all elections to four specified dates per year and limiting the times when schools and local units may hold elections (as described below in **BACKGROUND**).

It has been suggested that other acts be amended to conform to the proposal to standardize election dates.

### **CONTENT**

**The bills would amend different statutes to revise provisions that deal with scheduling special elections. Both bills would require compliance with the Michigan Election Law, and would delete references to a section of the Law that presently requires the approval of a county election scheduling committee (a**

**section that would be repealed by proposed legislation).**

#### **Senate Bill 1092**

The bill would amend the Metropolitan Councils Act to provide that a special election to authorize a tax levied by a metropolitan council would have to be scheduled in compliance with the Michigan Election Law. Currently, a special election date must be approved by the county election scheduling committee of the largest county in the manner required by Section 639 of the Election Law. The bill would delete that requirement.

#### **Senate Bill 1202**

The bill would amend the Charter Township Act to provide that a referendum regarding the annexation of a portion of a township by a village or city would have to be held at the first primary or general election held in the county at least 60 days after the validation of the annexation petition (as currently provided), or in compliance with the Michigan Election Law. The Act presently refers to Section 639 of the Election Law.

(Section 639 of the Election Law contains procedures for scheduling special elections called by local units and school districts. Currently, the proposed date of an election must be submitted by a local unit or school district to the county election scheduling committee. The committee must determine if the proposed election conflicts with any other scheduled election in the county. The committee may disapprove a proposed election date if an election is scheduled to be held in the same territory within 30 days of the proposed election. The committee may

not approve an election scheduled to be held less than 45 days after the approval date, but it has no power to choose the date a proposed election will be held.)

MCL 124.677 (S.B. 1092)  
42.34 (S.B. 1202)

## **BACKGROUND**

The following bills are part of the proposed election revision package: Senate Bill 438 (S-2), which would amend the Revised School Code; Senate Bills 439 (S-2), 440 (S-3), and 760 (S-1), which would amend the Michigan Election Law; Senate Bill 441 (S-2), which would amend the Home Rule City Act; Senate Bill 442 (S-2), which would amend the Home Rule Village Act; Senate Bill 443 (S-2), which would amend the General Law Village Act; and Senate Bill 444 (S-1), which would amend the Community Colleges Act. All of the bills have been passed by the Senate. In general, the bills would require school districts, local units, and community colleges to conform to the Election Law in regard to conducting elections and, as mentioned above, would restrict elections to four dates per year (in February, May, August, and November), with specified exceptions. Senate Bill 440 (S-3) also would repeal Section 639 of the Election Law.

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

The bills would ensure that a local unit of government operating under the Metropolitan Councils Act or the Charter Township Act would conform to the proposal that would restrict elections held in local units to certain dates. Instead of requiring special elections to be held in compliance with a specific section of the Law that would be repealed, the bills would require local units to comply with the Election Law overall when scheduling special elections.

Legislative Analyst: George Towne

## **FISCAL IMPACT**

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: David Zin

### **A0102\S1092a**

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.