

Legislative Analysis



COUNTY COMMISSION VACANCY

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House Bill 6163

Sponsor: Rep. Artina Tinsley Hardman

Committee: Local Government and Urban Policy

Complete to 11-29-04

A SUMMARY OF HOUSE BILL 6163 AS INTRODUCED 9-9-04

The bill would amend Public Act 261 of 1966, which concerns the election of county commissioners, to require county commissioners to fill a vacancy by appointing the person who received the next highest number of votes in the most recent election for that office. If that person were unwilling or ineligible to hold the office, then the county board of commissioners would fill the vacancy using the current requirements and process, as described below.

Currently, if a vacancy occurs in the office of commissioner (by death, resignation, removal from the district, or removal from office), the county board of commissioners must fill the vacancy within 30 days. The appointee must be a resident and registered voter of the district. If the vacancy occurs in an odd-numbered year, then the appointee serves until the vacancy is filled in a special election called by the commissioners. If the vacancy occurs in an election year, then the appointee serves for the remainder of the unexpired term of office. The law also specifies that if the county board of commissioners does not fill a vacancy by appointment within 30 days, then the vacancy is filled by a special election regardless of whether the year is an election year or an odd year. House Bill 6163 would retain all of these provisions.

MCL 46.412

FISCAL IMPACT:

The bill would have no fiscal impact.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.