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BILL ANALYSIS

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House Bill 5641 (Substitute S-1 as reported)
Sponsor: Representative David Palsrok
House Committee: Local government and Urban Policy
Senate Committee: Local, Urban and State Affairs

CONTENT

The bill would amend Public Act 156 of 1851, which governs county boards of commissioners, to eliminate a requirement that an election on the question of moving a county seat be held at the time of an annual township meeting; require the election to be conducted under the Michigan Election Law; and repeal language prescribing notice of the vote and the procedures for conducting the vote at a township meeting.

Under the Act, when a county seat is proposed to be moved, the county board of supervisors (commissioners) may, by a two-thirds vote of all elected members, designate a place to move the county seat. After a majority of the electors of the county voting on the question approve the proposal, the county board may establish the county seat.

Under the bill, the relocation of a county seat still would have to be approved by a two-thirds vote of the county commissioners, and it would have to be approved by the majority of the qualified electors within the county. The bill would require that the election be conducted under the Michigan Election Law.

The bill would repeal Sections 18 and 19 of the Act. Section 18 states that, upon the supervisors' approval of the relocation of the county seat, the matter must go to the county electors at the time of the next annual township meeting. Section 18 also contains publication and notice requirements for the vote. Section 19 states the manner in which the vote must be conducted at the annual township meeting.

(Article VII, Section 10 of the Michigan Constitution provides: "A county seat once established shall not be removed until the place to which it is proposed to be moved shall be designated by two-thirds of the members of the board of supervisors and a majority of the electors voting thereon shall have approved the proposed location in the manner prescribed by law.")

MCL 46.17

Legislative Analyst: J.P. Finet

FISCAL IMPACT

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

Date Completed: 3-26-04

Fiscal Analyst: David Zin