

## NOVEMBER VILLAGE ELECTION FILING DEADLINE

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**House Bill 5813 as introduced**

**Sponsor: Rep. Chris Ward**

**Committee: House Oversight, Elections, and Ethics**

### **First Analysis (3-8-06)**

**BRIEF SUMMARY:** The bill would set a filing deadline for candidates who stand for election to village offices during the November general election.

**FISCAL IMPACT:** The bill would not appear to have any significant fiscal impact.

### **THE APPARENT PROBLEM:**

Elected officials in villages throughout Michigan run for election on a nonpartisan ballot. Like partisan candidates, however, they must circulate nominating petitions to gather the names of registered voters who support their candidacy. Their petitions must be filed with the local clerk before a deadline set in the law, in order to ensure their names will appear on the ballot.

Since the Michigan Election Law was amended during the most recent legislative session to consolidate election dates, village officials are no longer able to schedule separate village elections, which for many villages were once set during the summer months. Instead, most opt to hold their elections in conjunction either with townships in September, or at the November general election.

The Election Law specifies a petition filing deadline for those who seek election to village offices in September. However, the current law does not set a similar deadline for those seeking election to village offices in November. Instead, candidates who stand for office in the November election continue to use the spring filing deadlines once used by those seeking election to village offices during summer elections that are now prohibited.

Legislation has been introduced to make the November election filing deadline requirements for those seeking village offices, consistent with the requirements already set for September elections.

### **THE CONTENT OF THE BILL:**

House Bill 5813 would amend the Michigan Election Law to set a filing deadline for candidates who stand for election to village offices during the November general election.

The bill requires that nominating petitions for village offices be filed with the appropriate township clerk by 4 p.m. on the 12<sup>th</sup> Tuesday before the general election in November (a

date that will fall in August). After a nominating petition is filed, the candidate would not be permitted to withdraw unless a written withdrawal notice, signed by the candidate, was filed with the clerk no later than 4 p.m. of the 3<sup>rd</sup> day after the last day for filing the nominating petition.

Currently under the law, candidate filing deadlines are set in a similar fashion for village councils who hold their regular elections at the September primary election.

MCL 168.381

***ARGUMENTS:***

***For:***

This bill, introduced at the request of the Michigan Municipal League, corrects an inconsistency in the Michigan Election Law that came about during the last legislative session when the law was amended to consolidate election dates. It would make consistent the petition filing deadlines for both November and September nonpartisan village elections, so that both would be twelve Tuesdays before the election.

***POSITIONS:***

The Michigan Municipal League supports the bill. (3-7-06)

The Office of the Secretary of State supports the bill. (3-7-06)

Legislative Analyst: J. Hunault  
Fiscal Analyst: Jim Stansell

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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.