

HOUSE BILL No. 4212

February 7, 2007, Introduced by Rep. Rick Jones and referred to the Committee on Education.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 302 and 642a (MCL 168.302 and 168.642a), as
amended by 2005 PA 71.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 302. An individual is eligible for election as a school
2 board member if the individual is a citizen of the United States
3 and is a qualified and registered elector of the school district
4 the individual seeks to represent by the filing deadline. At least
5 1 school board member for a school district shall be elected at
6 each of the school district's regular elections held as provided in
7 section 642 or 642a. Except as otherwise provided in this section
8 or section 310 or 644g, a school board member's term of office is

1 prescribed by the applicable provision of section 11a, 617, 701, or
2 703 of the revised school code, 1976 PA 451, MCL 380.11a, 380.617,
3 380.701, and 380.703, or section 34, 34a, 41, 54, or 83 of the
4 community college act of 1966, 1966 PA 331, MCL 389.34, 389.34a,
5 389.41, 389.54, and 389.83. Except as provided in section 302a, if
6 a ballot question changing the number of school board members or
7 changing the terms of office for school board members pursuant to
8 section 11a of the revised school code, 1976 PA 451, MCL 380.11a,
9 is proposed and a school district needs a temporary variance from
10 the terms of office provisions in this act and the revised school
11 code, 1976 PA 451, MCL 380.1 to 380.1852, to phase in or out school
12 board members' terms of office, the school board shall submit the
13 proposed ballot question language and a proposed transition plan to
14 the secretary of state at least 30 days before the school board
15 submits the ballot question language to the school district
16 election coordinator pursuant to section 312. The secretary of
17 state shall approve or reject the proposed transition plan within
18 10 business days of receipt of the proposed transition plan. The
19 secretary of state shall approve the proposed transition plan if
20 the plan provides only temporary relief to the school district from
21 the terms of office provisions in this act and the revised school
22 code, 1976 PA 451, MCL 380.1 to 380.1852, until such time that the
23 terms of office for school board members can be made to comply with
24 this act and the revised school code, 1976 PA 451, MCL 380.1 to
25 380.1852. The school board shall not submit the proposed ballot
26 question language to the school district election coordinator
27 pursuant to section 312 until the proposed transition plan is

1 approved by the secretary of state. A school board member's term
2 begins on 1 of the following dates:

3 (a) If elected at an election held on a November regular
4 election date, January 1 immediately following the election.

5 (b) If elected at an election held on a May regular election
6 date, July 1 immediately following the election.

7 **(C) IF ELECTED AT AN ELECTION HELD ON AN AUGUST REGULAR**
8 **ELECTION DATE, OCTOBER 1 IMMEDIATELY FOLLOWING THE ELECTION.**

9 Sec. 642a. (1) After December 31, 2004, a city council that
10 adopted a resolution so that its regular election is held on the
11 May regular election date may change its regular election to the
12 odd year general election by adopting a resolution in compliance
13 with section 642. If a city council adopts the resolution in
14 compliance with section 642 to hold its regular election at the odd
15 year general election, after December 31 of the year in which the
16 resolution is adopted, the city's regular election is at the odd
17 year general election.

18 (2) After December 31, 2004, a city council that holds its
19 regular election for city offices annually or in the even year on
20 the November regular election date may change its regular election
21 schedule to the odd year general election and the odd year primary
22 election by adopting a resolution in compliance with section 642.
23 If a city council adopts the resolution in compliance with section
24 642, the city's regular election is at the odd year general
25 election and its primary is at the odd year primary election.

26 (3) After December 31, 2004, a city council that adopted a
27 resolution so that its regular election primary is held at the

1 September primary election may change its regular election primary
2 to the odd year primary election by adopting a resolution in
3 compliance with section 642. If a city council adopts the
4 resolution in compliance with section 642 to hold its regular
5 election primary on the odd year primary election date, after
6 December 31 of the year in which the resolution is adopted, the
7 city's regular election primary is on the odd year primary election
8 date.

9 (4) After December 31, 2004, a school district's school board
10 that adopted a resolution so that its regular election is held on a
11 date other than at the odd year general election may change its
12 regular election to the odd year general election, the general
13 November election, the November regular election date in both even
14 and odd years, ~~or~~ the odd year May regular election date, **OR THE**
15 **EVEN YEAR AUGUST REGULAR ELECTION DATE** by adopting a resolution in
16 compliance with section 642. If a school board adopts the
17 resolution in compliance with section 642 to hold its regular
18 election at the odd year general election, the general November
19 election, the November regular election date in both even and odd
20 years, ~~or~~ the odd year May regular election date, **OR THE EVEN YEAR**
21 **AUGUST REGULAR ELECTION DATE**, after December 31 of the year in
22 which the resolution is adopted, the school board's school district
23 shall hold its regular election on the election date adopted in the
24 resolution.

25 (5) After December 31, 2004, a village council that adopted a
26 resolution so that its regular election is held on the September
27 primary election date may change its regular election to the

1 November regular election date by adopting a resolution in
2 compliance with section 642. If a village council adopts the
3 resolution in compliance with section 642 to hold its regular
4 election at the November regular election date, after December 31
5 of the year in which the resolution is adopted, the village's
6 regular election is at the November regular election date.