

SENATE BILL No. 1566

November 5, 2008, Introduced by Senators BROWN, PAPPAGEORGE and JANSEN and referred to the Committee on Education.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 24a and 307 (MCL 168.24a and 168.307), section 24a as amended by 1982 PA 154 and section 307 as added by 2003 PA 302.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 24a. (1) A 4-member board of county canvassers is
2 established in every county in this state. All of the powers
3 granted to and duties required by law to be performed by all boards
4 of canvassers established by law, other than the board of state
5 canvassers, boards of city canvassers in cities having more than 5
6 precincts, boards of canvassers in counties having a population of
7 1,500,000 or more, and boards of township canvassers in townships

1 having more than 5 precincts, are granted to and required to be
2 performed by the board of county canvassers.

3 (2) The board of county canvassers shall conduct all recounts
4 of elections in cities, townships, villages, school districts, or
5 any other districts and be vested with all of the powers and
6 required to perform all the duties in connection with any recount.

7 (3) If a city, village, ~~school district~~, or any other
8 district, **OTHER THAN A SCHOOL DISTRICT**, lies in more than 1 county,
9 and a duty is to be performed by the board of county canvassers,
10 the board of county canvassers in the county in which the greatest
11 number of registered voters of the city, village, or district
12 resides at the close of registration for the election involved
13 shall perform the duty.

14 (4) **IF A SCHOOL DISTRICT LIES IN MORE THAN 1 COUNTY, THE BOARD**
15 **OF COUNTY CANVASSERS FOR EACH COUNTY IN WHICH A PORTION OF THE**
16 **SCHOOL DISTRICT LIES SHALL CANVASS THAT PORTION OF A SCHOOL**
17 **DISTRICT ELECTION THAT IS HELD IN THAT COUNTY. UPON COMPLETION OF**
18 **THE CANVASS, THE CLERK OF THE BOARD OF COUNTY CANVASSERS SHALL**
19 **TRANSMIT THE CANVASSED RESULTS TO THE COUNTY CLERK OF THE COUNTY IN**
20 **WHICH THE LARGEST NUMBER OF REGISTERED ELECTORS OF THAT SCHOOL**
21 **DISTRICT RESIDE. UPON RECEIPT OF THE CANVASSED RESULTS, THE COUNTY**
22 **CLERK OF THE COUNTY IN WHICH THE LARGEST NUMBER OF REGISTERED**
23 **ELECTORS OF THAT SCHOOL DISTRICT RESIDE SHALL MAKE A STATEMENT OF**
24 **RETURNS AND CERTIFY THE RESULTS OF THE SCHOOL DISTRICT ELECTION TO**
25 **THE SECRETARY OF THE SCHOOL BOARD.**

26 (5) The cost of canvass of school, city, township, and village
27 elections shall be borne by the school district, city, township, or

1 village holding the election, and upon presentation of a bill for
2 the costs incurred by the board of county canvassers, the school
3 district, city, township, or village shall reimburse the county
4 treasurer.

5 (6) ~~(2)~~—All boards of canvassers provided for in law including
6 boards of school canvassers, the duties of which are by this act
7 required to be performed by boards of county canvassers, are
8 abolished.

9 (7) ~~(3)~~—Members of the board **OF COUNTY CANVASSERS** shall be
10 appointed for terms of 4 years beginning on November 1 following
11 their appointment. Of the members first appointed, 1 member of each
12 of the political parties represented on the ~~canvassing~~ board **OF**
13 **COUNTY CANVASSERS** shall be appointed for a term of 4 years and 1
14 for a term of 2 years. ~~Members~~ **THE COUNTY CLERK SHALL NOTIFY**
15 **MEMBERS** of the board ~~shall be notified~~ **OF COUNTY CANVASSERS** of
16 their appointment within 5 days ~~thereafter by the county clerk~~ **OF**
17 **BEING APPOINTED.**

18 (8) ~~(4)~~—This section ~~shall apply~~ **APPLIES** to all elections, any
19 charter provision to the contrary notwithstanding.

20 Sec. 307. (1) The appropriate board of canvassers as
21 prescribed in section 24a or 30a shall canvass the votes for
22 candidates for school board member and votes for and against a
23 ballot question at a regular or special election in each school
24 district. That number of candidates equal to the number of
25 individuals to be elected who receive the greatest number of votes
26 cast at the election, as set forth in the report of the board of
27 canvassers canvassing the votes, based upon the returns from the

1 election precincts or as determined by the board of canvassers as a
2 result of a recount, are elected to the office of school board
3 member. ~~Upon~~ **EXCEPT AS OTHERWISE PROVIDED IN SECTION 24A(4), UPON**
4 completion of the canvass, the board of canvassers shall make a
5 statement of returns and certify the election of school board
6 members to the secretary of the school board, the county clerk,
7 and, if other than the county clerk, the school district election
8 coordinator.

9 (2) The votes cast for a candidate for school board member or
10 on a ballot question submitted to the electors at a school election
11 are subject to recount as provided in chapter XXXIII. An individual
12 elected to the office of school board member is subject to recall
13 as provided in chapter XXXVI and in section 8 of article II of the
14 state constitution of 1963.