

Legislative Analysis



CITY PRIMARY ELECTION IN AUGUST

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House Bill 6247 as introduced
Sponsor: Rep. Kathy Angerer

(Enacted as Public Act 181 of 2010)

House Bill 6248 as introduced
Sponsor: Rep. Marie Donigan
Committee: Ethics and Elections

(Enacted as Public Act 182 of 2010)

Senate Bill 1258 as passed by the Senate
Sponsor: Sen. Cameron S. Brown

(Enacted as Public Act 183 of 2010)

Senate Bill 1259 as passed by the Senate
Sponsor: Sen. Michelle A. McManus
House Committee: Ethics and Elections
Senate Committee: Campaign and Election Oversight

(Enacted as Public Act 184 of 2010)

Complete to 7-6-10

A SUMMARY OF HOUSE BILLS 6247-6248 AND SENATE BILLS 1258-1259 AS REPORTED FROM HOUSE COMMITTEE

BRIEF SUMMARY: Generally speaking, the bills would require that city primary elections previously set in September of odd-numbered years be set at the odd year primary election in August.

FISCAL IMPACT: The bills would have no fiscal impact on state or local government.

BACKGROUND INFORMATION: The aim of the bills, according to committee testimony, is to hold primary elections in some cities a month earlier in order to give election officials the time needed to prepare general election ballots so that absentee ballots will reach overseas and military voters on time.

CONTENT OF THE BILLS:

Specifically, House Bill 6248 would amend the Michigan Election Law (MCL 168.642a) to specify that after December 31, 2010, a city that adopted a resolution so that its regular election primary was held at the September election would be required to hold its regular election primary at the odd year primary election. The term "odd year primary election" means the election held on the August regular election date in an odd numbered year."

House Bill 6247 would make a complementary amendment. It would amend the Michigan Election Law (MCL 168.4) to eliminate the definition of "September primary election." However, the term "September election" would be retained, and it would be

defined to mean the election held on the first Tuesday after the first Monday of September in the odd year for the election of village offices.

Senate Bill 1258 (S-1) would amend the Michigan Election Law (MCL 168.322) to delete the deadline for filing a nominating petition for a city's September primary election. Related legislation, found in House Bill 6248, would move city primary elections previously held in September of odd numbered years to the odd year primary in August.

Further, the bill would add language regarding the filing deadline for February primary elections and May elections. The bill specifies that for the name of a political party's candidate for a city office (including a ward office) to appear under the particular party heading on the official February primary election ballot, a nominating petition must be filed with the city clerk by 4 p.m. of the 12th Tuesday before the February primary. The language in that section referring to an August primary would be struck, as would references to political parties.

Finally, the bill specifies that if a charter provided for nomination by caucus or by filing a petition or affidavit directly for the May election, the candidate filing deadline or certification deadline would be 4 p.m. on the 12th Tuesday before the May election.

Senate Bill 1259 would amend the Michigan Election Law (MCL 168.381) to refer to a village's September *election*, rather than September *primary election*, in regard to a nominating petition deadline. Now under the law, if a village council adopts a resolution to hold its regular election at the September primary election, the nominating petitions for village offices to be filled at the September primary election must be filed with the village clerk by 4 p.m. on the 12th Tuesday before the September primary election. Senate Bill 1259 would delete "primary" from those provisions, so that they would apply instead to a "September election."

POSITIONS:

The Secretary of State supports the bill. (7-6-10)

The Michigan Association of Municipal Clerks indicated support for the bill. (7-6-10)

The Michigan Association of County Clerks indicated support for the bill. (7-6-10)

The Michigan Municipal League has indicated neutrality. (7-6-10)

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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.