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BILL ANALYSIS

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Senate Bills 1257 through 1260 (as introduced 4-14-10)
Sponsor: Senator Cameron S. Brown (S.B. 1257 & 1258)
          Senator Michelle A. McManus (S.B. 1259 & 1260)
Committee: Campaign and Election Oversight

Date Completed: 5-18-10

CONTENT

The bills would amend the Michigan Election Law to do all of the following:

-- **Define "September election" with respect to the election of village offices, and delete the definition of "September primary election".**
-- **Refer to a village's September election, rather than September primary election, in regard to a nominating petition deadline.**
-- **Require a city to hold its regular election primary at the odd year primary election, if it adopted a resolution to hold its primary at the September election.**
-- **Delete the deadline for filing a nominating petition for a city's September primary election.**

A more detailed description of the bills follows.

Senate Bill 1257

The Law defines "September primary election" as the primary election, or for a village that holds its regular election for a village office in September, the regular election, held on the first Tuesday after the second Monday in September in an odd year.

Under the bill, instead, "September election" would mean the election held on the first Tuesday after the second Monday in September in an odd year for the election of village offices.

Senate Bill 1258

Currently, for a city that holds a September primary election, 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 primary election ballots for use in the city, a nominating petition must be filed with the city clerk by 4 p.m. on the 12th Tuesday before the September primary. The bill would delete that provision.

Senate Bill 1259

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. The bill would delete "primary" from those provisions, so that they would apply to a September election.

Senate Bill 1260

Currently, if a city council adopted a resolution so that its regular election primary is held at the September primary election, the council may change its regular election primary to the odd year primary election by adopting a resolution in compliance with the Law. If a city council does so, after December 31 of the year in which the resolution is adopted, the city's regular election primary will be on the odd year primary election date; the bill would delete this provision.

Under the bill, after December 31, 2010, if a city adopted a resolution so that its regular election primary was held at the September election, the city would have to hold its regular election primary at the odd year primary election.

(The Law defines "odd year primary election" as the election held on the August regular election date in an odd-numbered year.)

MCL 168.4 (S.B. 1257)   Legislative Analyst: Patrick Affholter
    168.322 (S.B. 1258)
    168.381 (S.B. 1259)
    168.642a (S.B. 1260)

FISCAL IMPACT

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

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

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