

SUBSTITUTE FOR
HOUSE BILL NO. 5811

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 205 (MCL 257.205), as amended by 1980 PA 398.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 205. (1) ~~The~~ **SUBJECT TO SUBSECTION (2), THE** secretary of
2 state shall maintain an office in the state capitol complex, ~~and~~
3 in other places in the state as ~~the secretary of state~~ **HE OR SHE**
4 considers necessary to carry out the powers and duties vested in
5 the secretary of state. At least 1 office shall be established in
6 each county of the state and in each city of the state having a
7 population of 10,000 or more, but not within a radius of 5 miles
8 from a county office location. This subsection does not apply in a
9 county having a population of 300,000 or more, nor to contiguous
10 cities having a combined population of 10,000 or more.

1 (2) BEGINNING FEBRUARY 16, 2010, THE SECRETARY OF STATE SHALL
2 CEASE THE CLOSURE, OPENING, OR CONSOLIDATION OF BRANCH OFFICES
3 UNTIL SUCH TIME AS THE CONDITIONS DESCRIBED IN SUBSECTIONS (3) AND
4 (4) ARE FULFILLED. SUBSECTION (3) IS CONSIDERED FULFILLED WHEN A
5 REPORT DESCRIBING THE DECISION PROCESS IS FILED WITH THE SECRETARY
6 OF STATE AND PUBLISHED ON THE SECRETARY OF STATE'S WEBSITE.

7 (3) THE SECRETARY OF STATE SHALL ESTABLISH, BY ADMINISTRATIVE
8 ORDER, A WRITTEN PROCEDURE REGARDING THE CLOSURE, OPENING, OR
9 CONSOLIDATION OF BRANCH OFFICES THAT INCLUDES, BUT IS NOT LIMITED
10 TO, THE FOLLOWING FACTORS:

11 (A) THE METHOD OF CALCULATING THE AMOUNT OF FINANCIAL SAVINGS
12 TO THE DEPARTMENT OF THE CHANGE. THE AMOUNT OF FINANCIAL SAVINGS
13 SHALL IDENTIFY AND PROVIDE A SPECIFIC BREAKDOWN OF THE CURRENT
14 OPERATIONAL COSTS, PROPOSED OPERATIONAL COSTS, AND MOVING COSTS.
15 THE CALCULATION SHALL ALSO DETERMINE THE LENGTH OF TIME OVER WHICH
16 THE COSTS ARE CONSIDERED RECOVERABLE.

17 (B) FACTORS DEMONSTRATING CONVENIENCE DUE TO THE CHANGE IN
18 LOCATION OR CONSOLIDATION. THE DETERMINATION OF CONVENIENCE SHALL
19 ADDRESS THE INCREASE OR DECREASE IN SPACE, POINTS OF SERVICE,
20 STAFFING, HOURS OF OPERATION, AND LOCATION INsofar AS PROXIMITY TO
21 THE LARGEST POPULATION CONSIDERED LIKELY TO PHYSICALLY VISIT THE
22 OFFICE.

23 (C) CLOSE PROXIMITY TO PUBLIC TRANSPORTATION.

24 (D) FACTORS DEMONSTRATING ANY INCREASED EFFICIENCY IN THE
25 DELIVERY OF SERVICE.

26 (4) AT LEAST 180 DAYS BEFORE CLOSING OR CONSOLIDATING A BRANCH
27 OFFICE AND AT LEAST 60 DAYS BEFORE RELOCATING A BRANCH OFFICE, THE

House Bill No. 5811 (H-1) as amended February 24, 2010

1 SECRETARY OF STATE SHALL SEND WRITTEN NOTICE TO THE FOLLOWING:

2 (A) THE CHAIR OF THE COUNTY BOARD OF COMMISSIONERS.

3 (B) THE COUNTY EXECUTIVE OR ADMINISTRATOR.

4 [(C) THE CHIEF EXECUTIVE OFFICER OF ANY TOWNSHIP OR CITY WHEREIN A
CLOSING OR CONSOLIDATION OF A BRANCH OFFICE IS PLANNED.

5 (D) ANY MEMBER OF THE SENATE OR THE HOUSE OF REPRESENTATIVES
6 REPRESENTING THE DISTRICT IN WHICH THE MOVE OR CONSOLIDATION IS
7 OCCURRING.

8 [(E)] THE AUDITOR GENERAL.

9 (5) A person licensed **AS A DEALER** under section 248 ~~is~~ is not
10 eligible for appointment to conduct, manage, or be an employee of a
11 branch or fee office of the secretary of state.

12 (6) ~~(2)~~—A bond may be required of a person in an office
13 established under subsection (1) in an amount that the secretary of
14 state prescribes to cover the safe handling of money received under
15 this act. The secretary of state shall not be held personally
16 liable for a loss of money because of armed robbery, larceny,
17 embezzlement, riot, act of God, or other act of a person resulting
18 in a loss of money ~~which is~~ within the authority and responsibility
19 of the secretary of state as the administrator of this act.

20 (7) ~~(3)~~—A person appointed to conduct a branch office shall
21 receive **THE NECESSARY EXPENSES OF THE OFFICE AND** compensation **TO BE**
22 fixed by the secretary of state. ~~and necessary expenses of the~~
23 ~~office.~~—The compensation and expenses shall be paid out of the
24 Michigan transportation fund **ESTABLISHED IN SECTION 10 OF 1951 PA**
25 **51, MCL 247.660**, and shall be deducted from the fund before the
fund is certified to the state treasurer.