

# SENATE BILL No. 753

August 19, 2009, Introduced by Senator BROWN and referred to the Committee on Education.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending section 302 (MCL 168.302), 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~~ **642C**. Except as otherwise provided in this  
8 section or section 310 or 644g, a school board member's term of  
9 office is prescribed by the applicable provision of section 11a,  
10 617, 701, or 703 of the revised school code, 1976 PA 451, MCL

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

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

3 ~~—— (b) If elected at an election held on a May regular election~~  
4 ~~date, July 1 immediately following the election.~~

5 (B) IF ELECTED AT AN ELECTION HELD ON AN AUGUST REGULAR  
6 ELECTION DATE, SEPTEMBER 1 IMMEDIATELY FOLLOWING THE ELECTION.

7 Enacting section 1. This amendatory act takes effect January  
8 1, 2010.

9 Enacting section 2. This amendatory act does not take effect  
10 unless all of the following bills of the 95th Legislature are  
11 enacted into law:

12 (a) Senate Bill No. 751.

13  
14 (b) Senate Bill No. 752.

15  
16 (c) Senate Bill No. 754.