

HOUSE BILL No. 4217

February 9, 2011, Introduced by Reps. Pscholka and McMillin and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 971 (MCL 168.971), as amended by 2003 PA 302.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 971. (1) If the recall is successful, a special election
2 to fill the vacancy shall be held on the next regular election
3 date. The provisions in section 964 for calling and conducting of
4 the recall election govern the calling and conducting of the
5 election to fill the vacancy created, except as otherwise provided
6 in this section.

7 (2) If the governor appoints a review team under the local
8 ~~government fiscal responsibility act, 1990 PA 72, MCL 141.1201 to~~
9 ~~141.1291,~~ **LOCAL GOVERNMENT AND SCHOOL DISTRICT FISCAL**

1 **ACCOUNTABILITY ACT** to perform the functions prescribed in that act
2 relative to a city, township, or village and an elected official of
3 the city, township, or village was the subject of a successful
4 recall, the officer with whom the recall petition was filed does
5 not have the authority to propose a date for a special election. If
6 the review team described in this subsection is appointed after the
7 officer submits a proposed special election date or the county
8 election scheduling committee schedules the special election as
9 required by subsection (1), but before the election is held, the
10 officer's or county election scheduling committee's action becomes
11 void when the review team is appointed. Within 5 days after the
12 review team described in this subsection reports its findings to
13 the governor as required by ~~section 14 of the local government~~
14 ~~fiscal responsibility act, 1990 PA 72, MCL 141.1214,~~ **SECTION 13 OF**
15 **THE LOCAL GOVERNMENT AND SCHOOL DISTRICT FISCAL ACCOUNTABILITY ACT,**
16 the review team shall submit to the county election scheduling
17 committee a proposed date for the special election. A special
18 election scheduled under this subsection is subject to all of the
19 other provisions of subsection (1). This subsection applies to any
20 special election scheduled but not yet held before April 9, 2002.

21 Enacting section 1. This amendatory act does not take effect
22 unless Senate Bill No. ____ or House Bill No. 4214 (request no.
23 00011'11) of the 96th Legislature is enacted into law.