

SUBSTITUTE FOR
SENATE BILL NO. 1160

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 641 (MCL 168.641), as amended by 2005 PA 71.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 641. (1) Except as otherwise provided in this section,
2 ~~and sections 642 and 642a, beginning January 1, 2005,~~ an election
3 held under this act shall be held on 1 of the following regular
4 election dates:

5 (a) The February regular election date, which is the fourth
6 Tuesday in February. **HOWEVER, IN EACH PRESIDENTIAL ELECTION YEAR**
7 **WHEN A STATEWIDE PRESIDENTIAL PRIMARY IS HELD UNDER SECTION 613A,**
8 **THE FEBRUARY REGULAR ELECTION DATE IS THE THIRD TUESDAY IN MARCH.**

9 (b) The May regular election date, which is the first Tuesday
10 after the first Monday in May.

1 (c) The August regular election date, which is the first
2 Tuesday after the first Monday in August.

3 (d) The November regular election date, which is the first
4 Tuesday after the first Monday in November.

5 (2) If an elective office is listed by name in section 643,
6 requiring the election for that office to be held at the general
7 election, and if candidates for the office are nominated at a
8 primary election, the primary election shall be held on the August
9 regular election date.

10 (3) Except as otherwise provided in this subsection and
11 subsection (4), a special election shall be held on a regular
12 election date. A special election called by the governor under
13 section 145, 178, 632, 633, or 634 to fill a vacancy or called by
14 the legislature to submit a proposed constitutional amendment as
15 authorized in section 1 of article XII of the state constitution of
16 1963 may, but is not required to be, held on a regular election
17 date.

18 (4) A school district may call a special election to submit a
19 ballot question to borrow money, increase a millage, or establish a
20 bond if an initiative petition is filed with the county clerk. The
21 petition shall be signed by a number of qualified and registered
22 electors of the district equal to not less than 10% of the electors
23 voting in the last gubernatorial election in that district or 3,000
24 signatures, whichever number is lesser. Section 488 applies to a
25 petition to call a special election for a school district under
26 this section. In addition to the requirements set forth in section
27 488, the proposed date of the special election shall appear beneath

1 the petition heading, and the petition shall clearly state the
2 amount of the millage increase or the amount of the loan or bond
3 sought and the purpose for the millage increase or the purpose for
4 the loan or bond. The petition shall be filed with the county clerk
5 by 4 p.m. of the twelfth Tuesday before the proposed date of the
6 special election. The petition signatures shall be obtained within
7 60 days before the filing of the petition. Any signatures obtained
8 more than 60 days before the filing of the petition are not valid.
9 If the special election called by the school district is not
10 scheduled to be held on a regular election date as provided in
11 subsection (1), the special election shall be held on a Tuesday. A
12 special election called by a school district under this subsection
13 shall not be held within 30 days before or 35 days after a regular
14 election date as provided in subsection (1). A school district may
15 only call 1 special election pursuant to this subsection in each
16 calendar year.

17 ~~—— (5) The secretary of state shall make a report to the house~~
18 ~~and senate committees that consider election issues by December 1,~~
19 ~~2006. The secretary of state shall report about the special~~
20 ~~elections held under this subsection, including, but not limited~~
21 ~~to, all of the following:~~

22 ~~—— (a) The number of times a special election has been held.~~

23 ~~—— (b) Which school districts have held special elections.~~

24 ~~—— (c) Information about the success rate of the ballot question~~
25 ~~submitted at the special elections.~~

26 ~~—— (d) Information about voter turnout, including the percentage~~
27 ~~and number of registered voters who voted in each special election.~~

1 (5) ~~(6)~~—The secretary of state shall direct and supervise the
2 consolidation of all elections held under this act.

3 (6) ~~(7)~~—This section shall be known and may be cited as the
4 "Hammerstrom election consolidation law".

5 Enacting section 1. This amendatory act does not take effect
6 unless Senate Bill No. 1159 of the 97th Legislature is enacted into
7 law.