

HOUSE BILL No. 4780

May 28, 2013, Introduced by Reps. LaVoy and Zorn and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 642 (MCL 168.642), as amended by 2012 PA 523.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 642. (1) Except as otherwise provided in this section and
2 section 642a, on the effective date of this act, a city shall hold
3 its regular election or regular primary election as follows:

4 (a) A city shall hold its regular election for a city office
5 at the odd year general election.

6 (b) A city shall hold its regular election primary at the odd
7 year primary election.

8 (c) A city that holds its regular election for a city office
9 annually or in the even year on the November regular election date
10 shall continue holding elections on that schedule.

11 (d) A city that holds its regular election primary for a city

1 office annually or in the even year on the August regular primary
2 election date shall continue holding primary elections on that
3 schedule.

4 (2) If, on September 1, 2004, a city holds its regular
5 election at other than a regular November election date, the city
6 council may choose to hold the regular election on the May regular
7 election date by adopting a resolution in compliance with this
8 section. Except as provided in section 642a, if a city council
9 adopts the resolution in compliance with this section to hold its
10 regular election on the May regular election date, after December
11 31, 2004, the city's regular election is on the May regular
12 election date. If a city's regular election is held on the May
13 regular election date, the city's regular election primary shall be
14 held on the February regular election date immediately before its
15 regular election.

16 (3) If, on September 1, 2004, a city holds its regular
17 election annually or in the even year on the November regular
18 election date, the city council may choose to hold the regular
19 election at the odd year general election by adopting a resolution
20 in compliance with this section. Except as provided in section
21 642a, if a city council adopts the resolution in compliance with
22 this section to hold its regular election at the odd year general
23 election, after December 31, 2004, the city's regular election is
24 at the odd year election. If a city's regular election is held at
25 the odd year general election, the city's regular election primary
26 shall be held at the odd year primary election.

27 (4) If, on September 1, 2004, a city holds its regular

1 election annually on the November regular election date, the city
2 council may choose to hold the regular election at the even year
3 general election by adopting a resolution in compliance with this
4 section. Except as provided in section 642a, if a city council
5 adopts the resolution in compliance with this section to hold its
6 regular election at the even year general election, after December
7 31, 2004, the city's regular election is at the even year election.
8 If a city's regular election is held at the even year general
9 election, the city's regular election primary shall be held at the
10 even year primary election.

11 ~~(5) Except as otherwise provided in section 642a, on September~~
12 ~~1, 2004, a~~ A village shall hold its regular election as follows:

13 (a) A village shall hold its regular election for a village
14 office at the general election and the appropriate township clerk
15 shall conduct the election.

16 (b) A village shall not hold a regular primary election.

17 **(6) IF A VILLAGE'S REGULAR OR SPECIAL ELECTION IS HELD IN**
18 **CONJUNCTION WITH ANOTHER ELECTION CONDUCTED BY A TOWNSHIP, THE**
19 **VILLAGE SHALL PAY THE TOWNSHIP A PROPORTIONATE SHARE OF THE**
20 **ELECTION EXPENSES. IF A VILLAGE'S REGULAR OR SPECIAL ELECTION IS**
21 **NOT HELD IN CONJUNCTION WITH ANOTHER ELECTION CONDUCTED BY A**
22 **TOWNSHIP, THE VILLAGE SHALL PAY THE TOWNSHIP 100% OF THE ACTUAL**
23 **COSTS OF CONDUCTING THE VILLAGE'S REGULAR OR SPECIAL ELECTION.**

24 (7) ~~(6)~~ A resolution permitted under this section or section
25 642a is valid only if a city council adopts the resolution in
26 compliance with all of the following:

27 (a) The resolution is adopted before 1 of the following:

1 (i) If the resolution is permitted under subsection (2), (3),
2 or (4), January 1, 2005.

3 (ii) If the resolution is permitted under section 642a(1), (2),
4 or (4), January 1 of the year in which the change in the date of
5 the election takes effect.

6 (b) Before adopting the resolution, the council holds at least
7 1 public hearing on the resolution. The public hearing may be held
8 on the same day and immediately before considering the adoption of
9 the resolution.

10 (c) The council gives notice of each public hearing on the
11 resolution in a manner designed to reach the largest number of the
12 jurisdiction's qualified electors in a timely fashion.

13 (d) The council votes on the resolution and, on a record roll
14 call vote, a majority of the council's board members, elected or
15 appointed, and serving, adopt the resolution.

16 (e) The council files the resolution with the secretary of
17 state.