

Legislative Analysis



MAY AND AUGUST REGULAR ELECTIONS MOVED TO MARCH AND JUNE

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House Bills 5744–5747 as introduced
Sponsor: Rep. Aric Nesbitt
Committee: Elections
Complete to 9-20-16

Analysis available at
<http://www.legislature.mi.gov>

BRIEF SUMMARY:

House Bills 5744 to 5747 would move two of the three regular election dates in Michigan: primary elections would be moved from August to June, and the May regular election would be moved to March. The November regular election date would remain unchanged.

The bills would make this change in the Michigan Election Law (HB 5744), the Revised School Code (HB 5745), the County Boards of Commissioners Act (HB 5746), and the Revised Judicature Act of 1961 (HB 5747).

Currently under the law, the primary election is held on the first Tuesday after the first Monday in August. These bills would move that election date to the first Tuesday after the first Monday in June.

Likewise, the May regular election is currently set as the first Tuesday after the first Monday in May. The bills would move that election date to the first Tuesday after the first Monday in March for non-presidential election years, and to the second Tuesday in March for presidential election years.

Nominating petitions, which are currently received by the Secretary of State, county clerk, or township clerk up until 4pm of the fifteenth Tuesday before the August election, would be received up until 4pm of the fifteenth Tuesday before the June election.

FISCAL IMPACT:

The bills will have no fiscal impact to state or local government. The change of election dates should not result in increased costs to the state or local governments. There may be a negligible cost in informing citizens about the change of elections to March and June, but would be similar in cost to any notice about upcoming elections and covered under current funding levels.

DETAILED SUMMARY:

House Bill 5744 (MCL 168.3 et al)

The bill would move the May and August regular elections to March and June, respectively. It would also affect various deadlines and notice dates, which are determined in relation to the applicable election.

State Conventions: Now, state conventions of all political parties for the nomination of candidates for state offices in even-numbered years must be held at least 60 days before the general election, with the call for the convention at least 60 days before the August primaries. HB 5744 would retain the timing of the conventions, but provide that the call for convention must be issued at least 60 days before the June primaries.

County Conventions: Under current law, unless otherwise provided, county conventions of all political parties for the election of delegates to a state convention for the nomination of state officers in even-numbered years must be held at least eight days and not more than 25 days after the August primaries. Current law also provides that the call to county convention must be issued at least 45 days before the August primaries. HB 5744 would retain the 8-25 day time period, as well as the 45-day notice requirement, but relate them to the June primaries.

City General Election: Currently, a city council that adopted a resolution to hold its regular election on the May regular election date can adopt a resolution so that the regular election will take place at the odd-year general election. HB 5744 will remove this possibility, and provide that if a city council has adopted a resolution to hold its regular election on the May regular election date, it will hold it instead on the March regular election date.

Additionally, after December 31, 2016, a city that holds its regular election primary for a city office annually or in the even year on the August regular primary election date must hold its regular election primary on the June regular primary election date.

Recall Election: Now, if a recall petition is filed, the recall election must be held at least 95 days after the date the recall petition is filed, and will be held on the next May or November regular election date, whichever occurs first. If the recall petition would recall the governor, the recall election must be held on the next May or August regular election date, whichever occurs first. HB 5744 would amend those provisions, so that the recall election would be held on the next March or November regular election date, whichever occurs first, for both scenarios.

House Bill 5745 (MCL 380.702 & 380.703)

The bill would incorporate the March and June election dates into the Revised School Code. Currently, if an intermediate school district (ISD) annexes another ISD, or dissolves, with constituent districts attaching to contiguous ISDs, representatives of the annexed ISD on the annexing ISD board, and representatives of the attached district on the attaching ISD board, would serve until January 1 or, if the ISD's regular school election is held in May, until July 1 after the next ISD election. HB 5745 would provide that these electors would serve until January 1, or July 1 if the ISD's regular school election would now be held in March.

House Bill 5746 (MCL 46.16c)

The bill would incorporate the March and June election dates into the County Board of Commissioners Act. Specifically, when two or more townships consolidate, an election of the township board for the consolidated township must be called for by the county board

of commissioners at the next August primary and November general election. HB 5746 would provide that those elections be held at the next June primary and November general election.

House Bill 5747 (MCL 600.550, 600.550a, 600.805, 600.8175 & 600.8276)

The bill would incorporate the March and June election dates into the Revised Judicature Act of 1961. It would provide that, for elections filling judicial positions, all deadlines derived from the August primary would instead be derived from the June primary, and the elections currently held in August would instead be held in June.

House Bills 5745, 5746, and 5747 are tie-barred to HB 5744, meaning that they could not take effect unless HB 5744 is also enacted. The bills would take effect 90 days after enactment.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.