

HOUSE BILL No. 4272

March 4, 2015, Introduced by Reps. Lauwers, Lyons, Kesto, Heise, Leutheuser and Jacobsen
and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 642 (MCL 168.642), as amended by 2013 PA 51.

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, BEGINNING ON~~
3 **SEPTEMBER 1, 2004**, a city shall hold its regular election or
4 regular primary election as follows:

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

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

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

1 (d) A city that holds its regular election primary for a city
2 office annually or in the even year on the August regular primary
3 election date shall continue holding primary elections on that
4 schedule.

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

17 (2) ~~(3)~~ If, on September 1, 2004, a city holds its regular
18 election annually or in the even year on the November regular
19 election date, the city council may choose to hold the regular
20 election at the odd year general election by adopting a resolution
21 in compliance with this section. Except as provided in section
22 642a, if a city council adopts the resolution in compliance with
23 this section to hold its regular election at the odd year general
24 election, after December 31, 2004, the city's regular election is
25 at the odd year election. If a city's regular election is held at
26 the odd year general election, the city's regular election primary
27 shall be held at the odd year primary election.

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

12 (4) ~~(5)~~—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 (5) ~~(6)~~—If a village's special election is held in conjunction
18 with another election conducted by a township, the village shall
19 pay the township a proportionate share of the election expenses. If
20 a village's special election is not held in conjunction with
21 another election conducted by a township, the village shall pay the
22 township 100% of the actual costs of conducting the village's
23 special election.

24 (6) ~~(7)~~—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:

(i) If the resolution is permitted under subsection (2) ~~7~~**OR**
(3), ~~or (4)~~, January 1, 2005.

(ii) If the resolution is permitted under section 642a(1) ~~7~~
~~(2)~~, ~~or (4)~~, **OR (3)**, January 1 of the year in which the change in
the date of the election takes effect.

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

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

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

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

Enacting section 1. This amendatory act takes effect 90 days
after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect
unless all of the following bills of the 98th Legislature are
enacted into law:

(a) Senate Bill No. _____ or House Bill No. 4271 (request no.
01310'15).

(b) Senate Bill No. _____ or House Bill No. 4273 (request no.
01311'15).

(c) Senate Bill No. _____ or House Bill No. 4270 (request no.

1 01313'15).

2 (d) Senate Bill No.____ or House Bill No. 4276 (request no.
3 01314'15).

4 (e) Senate Bill No.____ or House Bill No. 4274 (request no.
5 01315'15).

6 (f) Senate Bill No.____ or House Bill No. 4275 (request no.
7 01316'15).