

Legislative Analysis



APPOINTMENT OF COUNTY AUDITORS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

**House Bill 5052 as reported from
committee**

Sponsor: Rep. Jewell Jones

**House Bill 5072 as reported
Sponsor: Rep. Michael Webber**

**House Bill 5084 (H-1) as reported
Sponsor: Rep. Steve Marino**

**Committee: Local Government
Complete to 1-29-18**

**House Bill 5114 as reported
Sponsor: Rep. Julie Calley**

**House Bill 5131 as reported
Sponsor: Robert L. Kosowski**

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

SUMMARY:

House Bill 5052 would amend Public Act 275 of 1913, which governs the functions of boards of county auditors. The remaining four bills would amend Michigan Election Law. Taken together, the bills would allow county boards of commissioners to appoint boards of county auditors and would remove references to the election of county auditors from Michigan statute.

Currently, Public Act 275 of 1913 provides that county auditors may be elected together as a board of not more than three members instead of individually. However, as far as can be determined, no county in Michigan currently elects auditors.¹ Rather, counties appoint auditors or contract with companies to provide oversight of county financial books and records. Accordingly, HB 5052 is understood to codify current practice, by allowing a county board of commissioners to appoint a board of county auditors.

House Bills 5072, 5084, 5114, and 5131 would make complementary changes to the Michigan Election Law. HBs 5072 and 5114 would remove county auditor from the list of offices voted upon in the primary and general election, respectively. HB 5131 would amend the order in which elected offices are placed on the ballot, to remove “auditor in counties electing an auditor.”

HB 5084 would provide that, where county road commissioners currently deposit a bond with the board of county auditors, they would instead deposit the bond with the county treasurer (this is currently listed as an alternative if a county does not have auditors).

¹ According to the House Fiscal Agency analysis for Public Act 246 of 2005 (which repealed another section of 1913 PA 275), PA 246 allowed for the dissolution of the final existing board of auditors in Michigan—the Saginaw County Board of Auditors. <http://www.legislature.mi.gov/documents/2005-2006/billanalysis/House/pdf/2005-HLA-5244-3.pdf>

HB 5084 would also repeal Chapter XI (County Auditors) of the Michigan Election Law. That chapter applies only to counties electing county auditors by popular vote, a category which would be eliminated under the bill. Additionally, the bill would repeal Public Act 63 of 1889, which governs the Board of County Auditors for Wayne County.

The five bills are tie-barred together, meaning that none could take effect unless all were enacted. The bills would take effect 90 days after enactment.

MCL 47.5 and MCL 168.265 et al.

FISCAL IMPACT:

The bills would have no fiscal impact on state or local governments.

POSITIONS:

The following organizations indicated a neutral position on the bills:

- Michigan Secretary of State (11-8-17)
- Michigan Association of Counties (11-8-17)

Legislative Analyst: Jenny McInerney
Fiscal Analyst: Michael Cossen

■ 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.