

APPOINTMENT OF COUNTY AUDITORS

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<http://www.house.mi.gov/hfa>

House Bill 5052 as enacted
Public Act 223 of 2018
Sponsor: Rep. Jewell Jones

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

House Bill 5072 as enacted
Public Act 224 of 2018
Sponsor: Rep. Michael Webber

House Bill 5114 as enacted
Public Act 225 of 2018
Sponsor: Rep. Julie Calley

House Bill 5084 as enacted
Public Act 341 of 2018
Sponsor: Rep. Steve Marino

House Bill 5131 as enacted
Public Act 226 of 2018
Sponsor: Rep. Robert L. Kosowski

House Committee: Local Government
Senate Committee: Elections and Government Reform
Complete to 10-19-18

SUMMARY:

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

Public Act 275 of 1913 provided that county auditors could 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, 5114, and 5131 make complementary changes to the Michigan Election Law. HBs 5072 and 5114 remove county auditor from the list of offices voted upon in the primary or general election, respectively. HB 5131 amends the order in which elected offices are placed on the ballot, to remove “auditor in counties electing an auditor.”

HB 5084 provides that, where county road commissioners formerly deposited a bond with the board of county auditors, they will instead deposit the bond with the county treasurer (this was listed as an alternative if a county did 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¹ According to the House Fiscal Agency analysis for Public Act 246 of 2005 (which repealed another section of 1913 PA 275), PA 246 allowed for the dissolution of the final existing board of auditors in Michigan—the Saginaw County Board of Auditors.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>

House Bills 5052, 5072, 5114, and 5131 took effect September 24, 2018. HB 5084 takes effect December 12, 2018.

MCL 47.5 and MCL 168.265 et al.

FISCAL IMPACT:

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

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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.