



Senate Fiscal Agency
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BILL



ANALYSIS

Telephone: (517) 373-5383
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House Bills 5052 and 5072 (as passed by the House)
House Bill 5084 (Substitute H-1 as passed by the House)
House Bills 5114 and 5131 (as passed by the House)
Sponsor: Representative Jewell Jones (H.B. 5052)
Representative Michael Webber (H.B. 5072)
Representative Steve Marino (H.B. 5084)
Representative Julie Calley (H.B. 5114)
Representative Robert L. Kosowski (H.B. 5131)
House Committee: Local Government
Senate Committee: Elections and Government Reform

Date Completed: 5-18-18

CONTENT

House Bill 5052 would amend Public Act 275 of 1913, which governs the powers and duties of a board of county auditors, to provide for a board of county auditors to be appointed by a board of commissioners, not elected by the board of supervisors.

House Bill 5072 would amend the Michigan Election Law to remove a reference to the office of county auditor from a provision that requires a general primary of all political parties in all precincts.

House Bill 5084 (H-1) would amend the Michigan Election Law to require an elected county road commissioner, before beginning the duties of the office, to deposit a bond with county treasurer, instead of with a county auditor.

House Bill 5114 would amend the Michigan Election Law to delete a requirement that an auditor be elected at the general election.

House Bill 5131 would amend of the Michigan Election Law to delete a reference to the office of county auditor from a provision that requires, at the general election, the names of the offices to be voted for to be placed on the ballot in a specific order.

The bills are tie-barred to each other. Each bill would take effect 90 days after it was enacted.

House Bill 5052

Public Act 275 of 1913 provides that the board of supervisors of any county, instead of electing all the members of the board of auditors individually, may elect by ballot a board of county auditors of not more than three members, one of whom the board of supervisors must designate as chairperson of the board of county auditors. If the board of county auditors consists of one person, he or she serves a one-year term; if the board consists of two people, one serves a one-year term, and one serves a two-year term; if the board consists of three people, one serves a one-year term, one serves a two-year term and one serves a three-year

term. The term of office of each member begins on the following January 1. At each October session of the board of supervisors after the expiration of the term of office of each of the individual members of the board, his or her successor must be appointed by the board of supervisors for a term of three years from the following January 1. Whenever a vacancy occurs in the board of county auditors, it must be filled by the board of supervisors, except in counties with a population of 1.5 million or more, vacancies in the board are filled as provided by Michigan Election Law, and the appointment lasts for the unexpired term of the vacancy. No person holding either elective or appointive office of a county subject to the Act, or any of the townships of the county, or of the State, and no person who is not an elector of the county is eligible to hold the office of county auditor. No more than two members of any board of county auditors may be affiliated with the same political party.

Under the bill, a board of county auditors would have to be appointed by the county board of commissioners instead of elected. The term lengths would remain the same.

If a vacancy occurred in the board of county auditors, it would have to be filled by the county board of commissioners and the appointment would last for the unexpired term of the vacancy filled.

House Bill 5072

The Election Law requires a general primary of all political parties to be held in every election precinct in Michigan on the Tuesday after the first Monday in August before every general November election, at which time the qualified and registered voters of each political party may vote for party candidates for a number of offices, including the office of county auditor. The bill would delete reference to the office of county auditor.

House Bill 5084 (H-1)

The Law requires that every person elected to the office of county road commissioner, before beginning the duties of his or her office, to give bond in the amount and manner prescribed by the Law, and deposit the bond with the board of county auditors. In counties having no county auditors, the bond must be deposited with the county treasurer.

The bill would require that an elected road commissioner deposit the bond with the county treasurer.

Currently, each county canvasser and county clerk must receive such reasonable compensation for services performed under the Law as is allowed by the board of supervisors or county auditors.

The bill would remove the reference to county auditors.

Chapter XI (County Auditors) of the Michigan Election Law prescribes rules that apply to counties electing county auditors by popular vote. The bill would repeal this chapter.

The bill also would repeal Public Act 63 of 1889, which pertains to the Wayne County board of auditors.

House Bill 5114

The Election Law requires that an auditor be elected at the general election, when required by law. The bill would remove this requirement.

House Bill 5131

The Law provides that, at the general November election, the names of the several offices to be voted for must be placed on the ballot substantially in a specific order in the years in which elections for those offices are held. The bill would remove from this list of offices the office of county auditor in counties electing an auditor.

MCL 47.5 et al.

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Ryan Bergan

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.