



Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bills 504 and 505 (as introduced 9-10-19)  
Sponsor: Senator Ed McBroom  
Committee: Local Government

Date Completed: 9-18-19

### **CONTENT**

**Senate Bill 505 would amend Public Act 261 of 1966, which governs the apportionment of county boards of commissioners, to specify that, instead of terms concurrent with that of State representatives, a county commissioner's term would be for four years, for each county commissioner elected at or after the November 2022 general election.**

**Senate Bill 504 would amend Public Act 293 of 1966, which governs county charters, to do the following:**

- Specify that a requirement that members of a county board of commissioners serve terms concurrent with those of State representatives would apply only until December 31, 2022.**
- Specify that terms for members of a county board of commissioners would be as specified in Public Act 261, beginning January 1, 2023.**

Senate Bill 504 is tie-barred to Senate Bill 505.

### **Senate Bill 505**

#### **Commissioners' Terms**

Public Act 261 specifies that each county commissioner's term must be concurrent with that of State representatives as specified in Article IV, Section 3 of the Michigan Constitution. (That section specifies that members of the House of Representatives serve two-year terms.)

Under the bill, this provision would apply to the term of each county commissioner elected before the November 2022 general election. The term of office of each county commissioner elected at or after the November 2022 general election would be four years. The term would begin on January 1 following the election and would continue until a successor was elected and qualified.

#### **Vacancies**

The Act specifies that if a vacancy occurs in the office of county commissioner by death, resignation, removal from the district, or removal from office, the county board of commissioners must fill the vacancy with 30 days by appointing a resident and registered voter of that district. Except as otherwise provided, the individual appointed to fill the vacancy serves for the remainder of the unexpired term.

Under the bill, if a vacancy occurred more than seven days before the nominating petition deadline for a November general election that was not the November general election at which a successor in office would be elected if there were no vacancy, the individual appointed would hold office only until a successor was elected at the next November general election in the manner provided by law and qualified for office. The successor would hold office for the remainder of the unexpired term.

### **Senate Bill 504**

Public Act 263 requires a county charter to provide, among other things, for the election of a county board of commissioners, whose term of office must be concurrent with that of State representatives.

The bill would delete the requirement that county commissioners' terms be concurrent with those of State representatives. Instead, until December 31, 2022, county commissioners' terms would be concurrent with that of State representatives. Beginning January 1, 2023, the term for members of a county board of commissioners would be as specified in Public Act 261, which Senate Bill 505 would amend.

MCL 45.514 (S.B. 504)  
46.410 & 46.412 (S.B. 505)

Legislative Analyst: Stephen Jackson

### **FISCAL IMPACT**

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

Fiscal Analyst: Joe Carrasco

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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.