

# HOUSE BILL NO. 6093

May 10, 2022, Introduced by Reps. Allor and Howell and referred to the Committee on Transportation.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 252, 254, 267, and 269 (MCL 168.252, 168.254, 168.267, and 168.269), section 254 as amended by 2021 PA 146 and section 269 as amended by 2014 PA 94.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 252. ~~(1) No person~~**An individual** shall **not** be eligible to  
2       the office of county road commissioner ~~who shall not have been~~  
3       **unless the individual is** a citizen of the United States and a  
4       qualified and registered elector of the county in which election is

sought for at least 1 year ~~next preceding~~ **before** his **or her** election. ~~nor shall he be a member of the county board of supervisors.~~ **In addition, an individual shall not be eligible for the office of county road commissioner if he or she is a member of the county board of commissioners.**

(2) In addition to the requirements of subsection (1), an individual seeking to represent a single-member district in the office of county road commissioner must be a resident of that single-member district.

Sec. 254. (1) ~~To~~ **Except as otherwise provided in this section,** to obtain the printing of the name of an individual as a candidate for nomination by a political party for the office of county road commissioner under a particular party heading upon the official primary ballots, there must be filed with the county clerk of the county nominating petitions signed by a number of qualified and registered electors residing within the county as determined under section 544f. **In a county with single-member districts for the office of county road commissioner, to obtain the printing of the name of an individual as a candidate for nomination by a political party for the office of county road commissioner under a particular party heading upon the official primary ballots, there must be filed with the county clerk nominating petitions signed by a number of qualified and registered electors residing within the single-member district of the county as determined under section 544f.** Nominating petitions must be in the form prescribed in section 544c. The county clerk shall receive nominating petitions up to 4 p.m. of the fifteenth Tuesday before the August primary in which county road commissioners are to be elected.

(2) To obtain the printing of the name of a candidate of a

political party under the particular party's heading upon the primary election ballots in the various voting precincts of the county, there may be filed by each candidate, in lieu of filing nominating petitions, a nonrefundable filing fee of \$100.00 to be paid to the county clerk. Payment of the fee and certification of the name of the candidate paying the fee are governed by the same provisions as in the case of nominating petitions. The fee must be deposited in the general fund of the county and must be used only for the purchase and maintenance of voting equipment.

Sec. 267. The office of county road commissioner in any county in this state ~~shall~~**must** become vacant upon the happening of any of the following events:

(a) Death of the incumbent. ~~his~~

(b) **His or her** resignation. ~~his~~

(c) **His or her** removal from office for cause. ~~his~~

(d) **His or her** ceasing to be a resident of the county where his **or her** office is located. ~~his~~

(e) **If representing a single-member district, moving his or her residence outside of the single-member district.**

(f) **His or her** conviction of an infamous crime, or an offense involving the violation of his **or her** oath of office. ~~the~~

(g) **The** decision of a competent tribunal declaring his **or her** election or appointment void. ~~his~~

(h) **His or her** refusal or neglect to take and subscribe to the constitutional oath of office and deposit the same in the manner and within the time prescribed by law. ~~or his~~

(i) **His or her** refusal or neglect to give bond in the amount and manner and within the time prescribed by law.

Sec. 269. If a vacancy occurs in the office of county road

1 commissioner, a qualified ~~person shall~~ **individual must** be appointed  
2 to fill the vacancy by the county board of commissioners. **If a**  
3 **vacancy occurs in a single-member county road commission district,**  
4 **a qualified individual from that single-member district must be**  
5 **appointed to fill the vacancy by the county board of commissioners.**

6 The ~~person~~ **individual** appointed shall take the oath of office, give  
7 bond in the manner required by law, and hold office for the  
8 remainder of the unexpired term and until a successor is elected  
9 and qualified. However, in a county in which county road  
10 commissioners are elected, if the vacancy occurs more than 7 days  
11 before the nominating petition filing deadline as provided in  
12 section 254 for the general November election that is not the  
13 general November election at which a successor in office would be  
14 elected if there were no vacancy, the ~~person~~ **individual** appointed  
15 shall hold office only until a successor is elected at the next  
16 general November election in the manner provided by law and  
17 qualifies for office. The successor shall hold the office for the  
18 remainder of the unexpired term.

19 Enacting section 1. This amendatory act does not take effect  
20 unless Senate Bill No. \_\_\_\_ or House Bill No. 6094 (request no.  
21 05508'22) of the 101st Legislature is enacted into law.