

# Legislative Analysis



## TERM OF OFFICE FOR LOCAL ELECTED OFFICIALS

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

**House Bill 4358 as introduced**  
**Sponsor: Rep. Mike Hoadley**

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

**House Bill 4359 as introduced**  
**Sponsor: Rep. Pat Outman**

**House Bill 4698 as introduced**  
**Sponsor: Rep. Gregory Alexander**

**House Bill 4699 as introduced**  
**Sponsor: Rep. Joseph D. Fox**

**Committee: Election Integrity**  
**Complete to 6-30-25**

### SUMMARY:

House Bills 4358, 4359, 4698, and 4699 would amend different acts to require terms of office for elected city, village, and township officials to begin no earlier than either December 1 or the first day of the month following the month of the applicable election (which, for a November election, would be December 1). Individuals elected to fill a vacancy could not take office until the election results have been certified. The bills are described individually below.

**House Bill 4358** would amend the Home Rule City Act to provide that, except for individuals elected to fill a vacancy, the term of office of elected city officials cannot begin earlier than 12 noon on the first day of the month after the month of their election. This would apply to officers elected after December 31, 2024, and would apply even if a charter provision provides for an earlier start to the term.

For individuals elected to fill a vacancy, the bill would provide that they cannot take the oath of office until the election results have been certified by the appropriate board of canvassers.

Proposed MCL 117.3c

**House Bill 4359** would amend the General Law Village Act, which currently provides that the term of office for a president, trustee, clerk, or treasurer elected at the village's regular (i.e., November) election begins on November 20 after the officer's election and qualification.

The bill would instead provide that the term of office for these officers begins on December 1 after the officer's election and qualification.

The bill also would change the date for a council to appoint a president pro tempore (who acts as president in the president's absence) from November 20 to December 1, or as soon as possible after the specified date.

Finally, notwithstanding an ordinance to the contrary, an individual elected to fill a vacancy could not take the oath of office until the election results have been certified by the appropriate board of canvassers.

MCL 62.4 et seq.

**House Bill 4698** would amend the Home Rule Village Act to provide that, except for individuals elected to fill a vacancy, the term of office of elected village officials cannot begin earlier than 12 noon on the first day of the month after the month of their election (e.g., December 1 for a November election). This would apply to officers elected after December 31, 2024, and would apply even if a charter provision provides for an earlier start to the term.

For individuals elected to fill a vacancy, the bill would provide that they cannot take the oath of office until the election results have been certified by the appropriate board of canvassers.

Proposed MCL 78.24e

**House Bill 4699** would amend the Election Law, which currently provides that the term of township officers begins at precisely 12 noon on November 20 after the officer's election.<sup>1</sup>

The bill would instead provide that the term of office for these officers begins at precisely 12 noon on December 1 after the officer's election. This would apply to township officers elected after December 31, 2024.

In addition, notwithstanding an ordinance or resolution to the contrary, an individual elected to fill a vacancy could not take the oath of office until the election results have been certified by the appropriate board of canvassers.

MCL 168.362 and 168.370

#### **FISCAL IMPACT:**

The bills would have no fiscal impact on the state or local units of government.

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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.

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<sup>1</sup> The applicable officers are found here: <https://www.legislature.mi.gov/Laws/MCL?objectName=MCL-168-358>