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Senate Bills 240 through 243 (as introduced 4-22-25)

*(Senate-passed version)*

Sponsor: Senator Jeremy Moss (S.B. 240 & 241)

Senator Ed McBroom (S.B. 242)

Senator Ruth Johnson (S.B. 243)

Committee: Elections and Ethics

Date Completed: 4-23-25

## **CONTENT**

**Senate Bill 240 and Senate Bill 242 would respectively amend the Michigan Election Law and the General Law Village Act to move the date on which a township officer or village officer's term of office started and on which the president pro tempore of a village council would have to be selected from the November 20 to the December 1 after the officer's election and qualification.**

**Senate Bill 241 and Senate Bill 243 would respectively amend the Home Rule Village Act and the Home Rule City Act to provide that the terms of village or city officers could not commence earlier than 12 noon on December 1, for village officers or the first day of the month for city officers, following the officer's election, regardless of provisions in the city or village's charter.**

**Additionally, each of the bills would prohibit an individual elected to fill a vacancy for these offices from taking the oath of office *before* the individual's election results had been certified by the appropriate board of canvassers.**

Senate Bills 240 and 242 are described in greater detail below.

### **Senate Bill 240**

Every township employs the following officers: a clerk, a treasurer, two trustees, and up to four constables. A township with a total population of 5,000 or more or a registered electorate of 3,000 or more may elect two additional trustees, for a total of four, if the addition of trustees is approved by a majority of voters during a general November election or at an annual meeting. A township in possession of a free public library or a township park commission also may employ six free public library directors and between five and nine park commission members.

Township officials serve four-year terms. Currently, all township officers' terms commence at 12 noon on the November 20 following their election. The bill would apply this provision only to township officials elected before January 1, 2025. Under the bill, all terms of township officers elected after December 31, 2024, would commence at 12 noon on the December 1 following the officer's election.

Additionally, under current law, township officers other than those previously identified must be elected at the November election immediately preceding the expiration of their terms.

They must commence the duties of their office on November 20 but not before they qualify following their elections. The bill would delete these provisions.

### **Senate Bill 242**

Generally, the General Law Village Act requires a village to employ the following officers: a president, six trustees, a clerk, and a treasurer. The president and trustees constitute the village council. The council may provide by ordinance for the reduction of the number of trustees, the nomination of the president, the appointment of the clerk or treasurer, and the manner and length of terms.

Currently, the term of office for a president, clerk, treasurer, or trustee elected at a village's regular election begins on the November 20 after the officer's election and qualification. Additionally, on November 20 of each year, or as soon after that date as possible, the Act requires the council to appoint one of its members president pro tempore of the council. The bill would move the date on which a village officer's term started and on which the president pro tempore of a village council would have to be selected from November 20 to December 1 following the election.

MCL 168.362 & 168.370 (S.B. 240)

Proposed MCL 78.24e (S.B. 241)

62.4 et al. (S.B. 242)

Proposed MCL 117.3c (S.B. 243)

### **PREVIOUS LEGISLATION**

*(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)*

Senate Bills 240, 241, 242, and 243 are respectively reintroductions of House Bills 5699, 5702, 5701, and 5700 of the 2023-2024 Legislative Session. House Bills 5699 through 5702 passed the House and were placed on third reading in the Senate but received no further action.

Legislative Analyst: Abby Schneider

### **FISCAL IMPACT**

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

Fiscal Analyst: Bobby Canell

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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.