

HOUSE BILL NO. 4359

April 22, 2025, Introduced by Reps. Outman, Tsernoglou, Wooden, Miller, Hoadley, Glanville, Price, Andrews, Morgan, MacDonell, Koleszar, Rheingans, Weiss, Arbit, Byrnes, McFall, Hope, Conlin, Neeley, Wilson, Wegela, Young, Fitzgerald, Brixie, Pohutsky, Foreman, Myers-Phillips, Xiong, Longjohn, Johnsen, Kunse, Rigas and BeGole and referred to Committee on Election Integrity.

A bill to amend 1895 PA 3, entitled
"The general law village act,"
by amending sections 4, 5, and 13 of chapter II and section 3 of
chapter V (MCL 62.4, 62.5, 62.13, and 65.3), sections 4 and 5 of
chapter II and section 3 of chapter V as amended by 2012 PA 551 and
section 13 of chapter II as amended by 2003 PA 305.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER II
2 Sec. 4. Unless otherwise provided by ordinance, the president,
3 clerk, and treasurer hold their respective offices for the term of
4 2 years and until their successors are elected and qualified. The

1 term of office for a president, clerk, or treasurer elected at the
2 village's regular election begins on ~~November 20~~**December 1** after
3 the officer's election and qualification.

4 Sec. 5. Except as otherwise provided in this section, 3
5 village trustees ~~shall~~**must** be elected at each biennial village
6 election for the term of 4 years and until their successors are
7 qualified. As an alternative, if provided by an ordinance adopted
8 by the village, all 6 village trustees ~~shall~~**must** be elected at the
9 biennial village elections for the term of 2 years and until their
10 successors are qualified. The term of office for a trustee elected
11 at the village's regular election begins on ~~November 20~~**December 1**
12 after the officer's election and qualification.

13 Sec. 13. **(1)** A vacancy occurring in the office of president,
14 trustee, or any other elective office ~~shall~~**must** be filled by
15 appointment by the council, and the appointee shall hold office
16 until the next regular village election. All vacancies in any other
17 office ~~shall~~**must** be filled by the president, by and with the
18 consent of the council.

19 **(2)** If by reason of removal, death, resignation, or otherwise,
20 the membership of the council is reduced to less than a quorum, the
21 remaining council members shall call a special election for the
22 purpose of filling all vacancies in the office of trustee, if a
23 petition signed by not less than 10% of the qualified voters of the
24 village is filed with the village clerk ~~within~~**not later than** 10
25 days after the vacancy or vacancies occur. If a petition is not
26 filed within the time ~~stated,~~**period required under this**
27 **subsection**, then the remaining council members may either call a
28 special election, or may appoint a sufficient number of trustees to
29 constitute with the members in office a quorum of the council, who

1 shall then fill the remaining vacancies as provided in this
2 section.

3 **(3)** If all the officers and trustees of a village ~~have died~~
4 **die** or ~~moved~~**move** from the village, and no successors have been
5 elected or appointed to fill the vacancies, the township clerk of
6 the township within which the village is situated shall, ~~upon~~**on**
7 petition of 10% of the qualified voters residing in the village,
8 call a special election for the election of the officers and
9 trustees of the village to be held on a regular election date as
10 established under section 641 of the Michigan election law, 1954 PA
11 116, MCL 168.641. The township shall perform all of the other
12 duties with respect to the election as the village might have done
13 had the vacancies not existed, including the preparation of
14 ballots, the appointment of election inspectors, the counting and
15 canvassing of the ballots, and the certification of the persons
16 elected to the offices for which the election was held. The
17 expenses of the election ~~shall~~**must** be paid by the village as
18 provided in section 642 of the Michigan election law, 1954 PA 116,
19 MCL 168.642.

20 **(4) Notwithstanding any ordinance to the contrary, an**
21 **individual elected to fill a vacancy shall not take the oath of**
22 **office until the results have been certified by the appropriate**
23 **board of canvassers.**

24 CHAPTER V

25 Sec. 3. (1) On ~~November 20~~**December 1** of each year, or as soon
26 after that date as possible, the council shall appoint 1 of their
27 number president pro tempore of the council.

28 (2) In the absence of the president, the president pro tempore
29 presides at the council meetings, and exercises the powers and

1 duties of president. In the absence of the president and president
2 pro tempore, the member with the longest current period of
3 continuous service on the council presides unless otherwise
4 provided by council rules.