

OPTIONAL UNIFIED FORM OF COUNTY GOVERNMENT (EXCERPT)
Act 139 of 1973

45.559 County executive; nomination, election, and term; vacancy; salary.

Sec. 9. (1) A county executive who is a qualified elector in the county shall be elected on a partisan basis for a term of 4 years concurrent with the term of the county prosecuting attorney, county clerk, county register of deeds, county treasurer, county sheriff, elected county auditors, and county drain commissioner. If a county executive is elected at an election different than the election for county officers, his or her first term shall extend only until the January following the election for county officers.

(2) The first county executive may be nominated in the same or next primary or general election held after the election in which alternate B is approved. The county executive shall then be elected in the next regular primary or general election occurring not less than 30 days nor more than 90 days after the date of the election in which alternate B is approved or in which he or she was nominated. If a primary or general election is not scheduled during that period, the board of county commissioners shall call a special election to elect a county executive. The county executive shall be nominated and elected pursuant to the laws applicable to the nomination and election of other county officials.

(3) If the first election of a county executive is a special election for that purpose only, and only 1 candidate for each political party qualifies to have his or her name appear on the primary ballot, a primary election shall not be held, and the candidate qualifying shall be certified as the nominee of the political party for which he or she filed.

(4) Except as provided under section 9a, if the office of elected county executive becomes vacant due to resignation or death, the vacancy shall be filled by appointment of the board of county commissioners until the next general election. A new county executive shall be elected at the next general election after the resignation or death of a county executive and in the manner provided in this section for the election of county executives. The newly elected county executive shall serve a term equal to the balance of the term for which the county executive who resigned or died was elected.

(5) The salary of the county executive for the initial term shall be established by the board of county commissioners at least 6 months before the effective date of the optional unified form of county government, containing alternate B. The salary shall be established by the board consistent with the procedures established for other elected officials. The county executive's salary shall be commensurate with the duties and responsibilities of the office. The salary of a county executive shall not be reduced during his or her term of office except as part of a general salary reduction.

History: 1973, Act 139, Eff. Mar. 29, 1974;—Am. 1976, Act 85, Imd. Eff. Apr. 17, 1976;—Am. 1980, Act 100, Imd. Eff. Apr. 19, 1980;—Am. 2003, Act 281, Imd. Eff. Jan. 8, 2004.