

Legislative Analysis



COUNTY COMMISSION VACANCIES

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House Bill 4357

Sponsor: Rep. Eileen Kowall

Committee: Redistricting and Elections

Complete to 1-30-12

A SUMMARY OF HOUSE BILL 4357 AS INTRODUCED 3-1-11

House Bill 4357 would amend Public Act 261 of 1966 (MCL 46.412), which prescribes the manner of election for county boards of commissioners. It would eliminate the requirement for a special election when a vacancy occurs in the office of county commissioner during an odd-numbered year.

County commissioners are elected in even-numbered years to a two-year term of office. Now under the law, when a vacancy occurs in the office of commissioner by death, resignation, removal from the district, or removal from office, that vacancy is filled by appointment within 30 days by the remaining county commissioners. The person appointed to fill a vacancy occurring in an election year (an even-numbered year) serves for the remainder of the unexpired term. However, the person appointed to fill a vacancy that occurs in an odd-numbered year serves only until the vacancy is filled in a special election called by the county board of commissioners. If the county board of commissioners does not fill the vacancy by appointment within 30 days, then that vacancy must be filled by a special election, regardless of whether the year is an election year or an odd year. House Bill 4357 would eliminate the need for special elections to fill vacancies which occur in odd-numbered years. Instead, under the bill all people appointed to fill vacancies by county boards of commissioners would serve for the remainder of the unexpired term.

FISCAL IMPACT:

The bill would have no direct impact on state or local revenue. Eliminating special elections to fill an opening may reduce local costs, although any savings are likely small.

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