

HOUSE BILL No. 5941

November 12, 2014, Introduced by Rep. McMillin and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 192 and 200 (MCL 168.192 and 168.200), section 200 as amended by 1998 PA 364, and by adding section 192a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 192. ~~A~~**SUBJECT TO SECTION 192A, A** general primary
 2 election of all political parties shall be held in every county of
 3 this state on the Tuesday ~~succeeding~~**AFTER** the first Monday in
 4 August ~~preceding~~**BEFORE** the general November election at which the
 5 officers named in section 191 ~~of this act~~ are to be elected, at
 6 which time the qualified and registered electors of each political
 7 party may vote for party candidates for the offices. This section
 8 ~~shall~~**DOES** not apply to **POLITICAL** parties required to nominate
 9 candidates at caucuses or conventions.

1 SEC. 192A. (1) NOTWITHSTANDING ANY PROVISION OF LAW OR CHARTER
2 TO THE CONTRARY, IN A COUNTY WITH A POPULATION OF 1,000,000 OR MORE
3 THAT HAS ADOPTED AN OPTIONAL UNIFIED FORM OF COUNTY GOVERNMENT
4 UNDER 1973 PA 139, MCL 45.551 TO 45.573, A COUNTY CLERK, A COUNTY
5 TREASURER, A REGISTER OF DEEDS, A PROSECUTING ATTORNEY, A SHERIFF,
6 A DRAIN COMMISSIONER, AND A SURVEYOR SHALL NOT BE ELECTED AT THE
7 2016 GENERAL NOVEMBER ELECTION BUT SHALL BE ELECTED AT THE 2018
8 GENERAL NOVEMBER ELECTION AND EVERY FOURTH YEAR AFTER THAT.

9 (2) A COUNTY CLERK, A REGISTER OF DEEDS, A PROSECUTING
10 ATTORNEY, A SHERIFF, A DRAIN COMMISSIONER, AND A SURVEYOR IN A
11 COUNTY DESCRIBED IN SUBSECTION (1), WHOSE TERM OF OFFICE EXPIRES ON
12 DECEMBER 31, 2016, SHALL CONTINUE IN OFFICE UNTIL DECEMBER 31,
13 2018. A COUNTY TREASURER IN A COUNTY DESCRIBED IN SUBSECTION (1),
14 WHOSE TERM OF OFFICE EXPIRES ON JUNE 30, 2017, SHALL CONTINUE IN
15 OFFICE UNTIL JUNE 30, 2019.

16 Sec. 200. (1) ~~A~~ EXCEPT AS OTHERWISE PROVIDED IN SECTION 192A,
17 A county clerk, a county treasurer, a register of deeds, a
18 prosecuting attorney, a sheriff, a drain commissioner, and a
19 surveyor shall be elected at the 2000 general November election and
20 every fourth year after that. However, in a county in which 1 of
21 these offices is abolished or combined as provided by law, no
22 person shall be elected to that office in that county.

23 (2) Subject to subsections (3), (4), and (5), a county board
24 of commissioners may by resolution combine the offices of county
25 clerk and register of deeds in 1 office of the clerk register or
26 separate the office of the clerk register into the offices of
27 county clerk and register of deeds. A combination or separation of

1 offices shall not take effect before the expiration of the current
2 term of the affected offices.

3 (3) Before adopting a resolution to combine the offices of
4 county clerk and register of deeds or separate the office of clerk
5 register into the offices of county clerk and register of deeds, a
6 county board of commissioners shall study the question of combining
7 or separating the offices. The mandatory requirements of this
8 subsection may be satisfied by conducting a public hearing pursuant
9 to subsection (4).

10 (4) The county board of commissioners as a whole body shall
11 hold not less than 1 public hearing, held subject to the open
12 meetings act, 1976 PA 267, MCL 15.261 to 15.275, on the question of
13 combining or separating the offices of county clerk and register of
14 deeds. The county board of commissioners may vote on the question
15 as a regularly scheduled agenda item not less than 10 days or more
16 than 30 days after the last public hearing held by the county board
17 of commissioners on the question.

18 (5) Not later than the sixth Tuesday before the deadline for
19 filing the nominating petitions for the office of county clerk,
20 register of deeds, or clerk register, the county board of
21 commissioners may by a vote of 2/3 of the commissioners elected and
22 serving combine the offices of county clerk and register of deeds
23 or separate the office of the clerk register. The resolution shall
24 become effective upon the commencement of the next term of office
25 of the county clerk, register of deeds, or clerk register after the
26 adoption of the resolution.