
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 486 (as reported without amendment)
Sponsor: Senator Loren Bennett
Committee: Government Operations

Date Completed: 12-1-97

RATIONALE

It has been pointed out that there are conflicting provisions in the Michigan Election Law and the Charter Township Act regarding signature requirements in a primary election for a charter township office. The Election Law provides that to get the name of a political party candidate for a charter township office under the party heading on the official primary election ballot, nomination petitions must be filed with the township clerk; the number of signatures of registered and qualified voters on the petitions must be equal to at least 1%, but no more than 2%, of the total number of votes cast for the office of Secretary of State at the last general November election in which a Secretary of State was elected. Under the Charter Township Act, however, the number of signatures of registered and qualified voters on the petitions must be equal to at least 1%, but no more than 4%, of the total number of votes cast for the office of supervisor in the township in the last election. It has been suggested that the Charter Township Act be amended to conform with the Election Law, so that only one signature requirement would be applicable.

CONTENT

The bill would amend the Charter Township Act to eliminate the petition signature requirement regarding the printing of a name on the ballot for a charter township office at a primary election.

The bill would retain a current requirement that a primary election be conducted, "as near as may be", pursuant to the Michigan Election Law. This would mean, then, that the signature requirements prescribed in the Election Law would apply to candidates for a charter township office at a primary election.

MCL 42.4

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Currently, under the Election Law and the Charter Township Act, there are two different signature requirements that a candidate can follow to have his or her name printed on the official primary ballot under a political party heading. This raises the possibility that a candidate could comply with the requirements of one Act but fail to fulfill the requirements of the other, and thus leave his or her subsequent election open to legal challenge. By eliminating the signature requirement in the Charter Township Act, the bill would standardize the requirement, as all candidates would have to follow the standards in the Election Law.

Legislative Analyst: G. Towne

FISCAL IMPACT

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

Fiscal Analyst: E. Limbs

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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.