

Act No. 48
Public Acts of 2000
Approved by the Governor
March 27, 2000
Filed with the Secretary of State
March 27, 2000
EFFECTIVE DATE: March 27, 2000

**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 2000**

Introduced by Senator Bennett

ENROLLED SENATE BILL No. 766

AN ACT to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1104 (MCL 380.1104), as amended by 1995 PA 289.

The People of the State of Michigan enact:

Sec. 1104. (1) If less than a majority of the offices of a school district become vacant, the remaining members of the board shall fill the vacancy immediately.

(2) If a vacancy is not filled within 30 days after it occurs, the intermediate school board shall fill the vacancy by appointment.

(3) If a majority of the offices are vacant at the same time, the remaining member or members of the board shall immediately call a special election of the school district to fill the vacancies. If the election is not called by the remaining member or members of the board within 30 days after the vacancies occur, or if all offices of the members of the board are vacant, the intermediate superintendent shall call a special election of the school district to fill the existing vacancies for unexpired portions of the respective terms. The special election shall be held as provided under this act and the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

(4) A person elected or appointed to fill a vacancy on the board shall file an acceptance of office and qualify under section 1102, and shall hold office until the next regular school election when the vacancy shall be filled for the remainder of the unexpired term.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Jay E. Randall

Clerk of the House of Representatives.

Approved

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Governor.