

HOUSE BILL No. 6191

May 19, 2010, Introduced by Reps. LeBlanc and McMillin and referred to the Committee on Ethics and Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 302 (MCL 168.302), as amended by 2005 PA 71.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 302. An individual is eligible for election as a school
2 board member if the individual is a citizen of the United States
3 and is a qualified and registered elector of the school district
4 the individual seeks to represent by the filing deadline. At least
5 1 school board member for a school district shall be elected at
6 each of the school district's regular elections held as provided in
7 section 642 or 642a. Except as otherwise provided in this section
8 or section 310 or 644g, a school board member's term of office is
9 prescribed by the applicable provision of section 11a, 617, 701, or
10 703 of the revised school code, 1976 PA 451, MCL 380.11a, 380.617,

1 380.701, and 380.703, or section 34, 34a, 41, 54, or 83 of the
2 community college act of 1966, 1966 PA 331, MCL 389.34, 389.34a,
3 389.41, 389.54, and 389.83. Except as provided in section 302a, if
4 a ballot question changing the number of school board members or
5 changing the terms of office for school board members pursuant to
6 section 11a of the revised school code, 1976 PA 451, MCL 380.11a,
7 is proposed and a school district needs a temporary variance from
8 the terms of office provisions in this act and the revised school
9 code, 1976 PA 451, MCL 380.1 to 380.1852, to phase in or out school
10 board members' terms of office, the school board shall submit the
11 proposed ballot question language and a proposed transition plan to
12 the secretary of state at least 30 days before the school board
13 submits the ballot question language to the school district
14 election coordinator pursuant to section 312. The secretary of
15 state shall approve or reject the proposed transition plan within
16 10 business days of receipt of the proposed transition plan. The
17 secretary of state shall approve the proposed transition plan if
18 the plan provides only temporary relief to the school district from
19 the terms of office provisions in this act and the revised school
20 code, 1976 PA 451, MCL 380.1 to 380.1852, until such time that the
21 terms of office for school board members can be made to comply with
22 this act and the revised school code, 1976 PA 451, MCL 380.1 to
23 380.1852. The school board shall not submit the proposed ballot
24 question language to the school district election coordinator
25 pursuant to section 312 until the proposed transition plan is
26 approved by the secretary of state. A school board member's term
27 begins on 1 of the following dates:

1 (a) ~~If~~ UNTIL DECEMBER 31, 2009, IF elected at an election held
2 on a November regular election date, January 1 immediately
3 following the election.

4 (B) BEGINNING JANUARY 1, 2010, IF ELECTED AT AN ELECTION HELD
5 ON A NOVEMBER REGULAR ELECTION DATE, ON THE DATE OF THE FIRST
6 SCHOOL BOARD MEETING OF THE SCHOOL DISTRICT HELD AFTER THE
7 ELECTION, OR ON JANUARY 1 IMMEDIATELY FOLLOWING THE ELECTION,
8 WHICHEVER OCCURS FIRST.

9 (C) ~~(b) If~~ UNTIL DECEMBER 31, 2010, IF elected at an election
10 held on a May regular election date, July 1 immediately following
11 the election.

12 (D) BEGINNING JANUARY 1, 2011, IF ELECTED AT AN ELECTION HELD
13 ON A MAY REGULAR ELECTION DATE, ON THE DATE OF THE FIRST SCHOOL
14 BOARD MEETING OF THE SCHOOL DISTRICT HELD AFTER THE ELECTION, OR ON
15 JULY 1 IMMEDIATELY FOLLOWING THE ELECTION, WHICHEVER OCCURS FIRST.