

# HOUSE BILL No. 5218

December 13, 2011, Introduced by Reps. Dillon, McCann, Yonker, Lindberg, Hobbs, Roy Schmidt and Lyons and referred to the Committee on Redistricting and Elections.

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

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 200. (1) A county clerk, a county treasurer, a register  
2 of deeds, a prosecuting attorney, a sheriff, a drain commissioner,  
3 and a surveyor shall be elected at the 2000 general November  
4 election and every fourth year after that. However, in a county in  
5 which 1 of these offices is abolished or combined as provided by  
6 law, no person shall be elected to that office in that county.

7           (2) Subject to subsections (3), (4), and (5), a county board  
8 of commissioners may by resolution combine the offices of county  
9 clerk and register of deeds in 1 office of the clerk register or  
10 separate the office of the clerk register into the offices of

1 county clerk and register of deeds. A combination or separation of  
2 offices shall not take effect before the expiration of the current  
3 term of the affected offices.

4 (3) Before adopting a resolution to combine the offices of  
5 county clerk and register of deeds or separate the office of clerk  
6 register into the offices of county clerk and register of deeds, a  
7 county board of commissioners shall study the question of combining  
8 or separating the offices. The mandatory requirements of this  
9 subsection may be satisfied by conducting a ~~public hearing pursuant~~  
10 ~~to~~ **HEARINGS UNDER** subsection (4) **AND BY HAVING AN INDEPENDENT**  
11 **FINANCIAL STUDY ON COMBINING OR SEPARATING THE OFFICES COMPLETED**  
12 **AND AVAILABLE AT LEAST 30 DAYS BEFORE CONDUCTING THE FIRST PUBLIC**  
13 **HEARING UNDER SUBSECTION (4).**

14 (4) The county board of commissioners as a whole body shall  
15 hold not less than ~~1-2 public hearing,~~ **HEARINGS**, held subject to  
16 the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, on the  
17 question of combining or separating the offices of county clerk and  
18 register of deeds. **AT LEAST 1 OF THE PUBLIC HEARINGS REQUIRED UNDER**  
19 **THIS SUBSECTION SHALL BE AN EVENING HEARING HELD AFTER 6 P.M.** The  
20 county board of commissioners may vote on the question as a  
21 regularly scheduled agenda item not less than 10 days or more than  
22 30 days after the last public hearing held by the county board of  
23 commissioners on the question.

24 (5) Not later than ~~the sixth Tuesday~~ **180 DAYS** before the  
25 deadline for filing the nominating petitions for the office of  
26 county clerk, register of deeds, or clerk register, the county  
27 board of commissioners may by a vote of 2/3 of the commissioners

1 elected and serving combine the offices of county clerk and  
2 register of deeds or separate the office of the clerk register. The  
3 resolution ~~shall become~~ **BECOMES** effective upon the commencement of  
4 the next term of office of the county clerk, register of deeds, or  
5 clerk register after the adoption of the resolution.