

HOUSE BILL No. 5953

November 12, 2014, Introduced by Reps. Kesto, Crawford, McCready, Haines and Kowall and referred to the Committee on Government Operations.

A bill to amend 1973 PA 139, entitled

"An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies,"

by amending section 9 (MCL 45.559), as amended by 2003 PA 281.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9. (1) ~~A~~**EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (6)**
2 **AND (7),** A county executive who is a qualified elector in the
3 county shall be elected on a partisan basis for a term of 4 years
4 concurrent with the term of the county prosecuting attorney, county

1 clerk, county register of deeds, county treasurer, county sheriff,
2 elected county auditors, and county drain commissioner. ~~If~~**EXCEPT**
3 **AS OTHERWISE PROVIDED IN SUBSECTION (7), IF** a county executive is
4 elected at an election different than the election for county
5 officers, his or her first term shall extend only until the January
6 following the election for county officers.

7 (2) The first county executive may be nominated in the same or
8 next primary or general election held after the election in which
9 alternate B is approved. The county executive shall then be elected
10 in the next regular primary or general election occurring not less
11 than 30 days nor more than 90 days after the date of the election
12 in which alternate B is approved or in which he or she was
13 nominated. If a primary or general election is not scheduled during
14 that period, the board of county commissioners shall call a special
15 election to elect a county executive. ~~The~~**EXCEPT AS OTHERWISE**
16 **PROVIDED IN SUBSECTIONS (6) AND (7), THE** county executive shall be
17 nominated and elected pursuant to the laws applicable to the
18 nomination and election of other county officials.

19 (3) If the first election of a county executive is a special
20 election for that purpose only, and only 1 candidate for each
21 political party qualifies to have his or her name appear on the
22 primary ballot, a primary election shall not be held, and the
23 candidate qualifying shall be certified as the nominee of the
24 political party for which he or she filed.

25 (4) Except as provided under section 9a, if the office of
26 elected county executive becomes vacant due to resignation or
27 death, the vacancy shall be filled by appointment of the board of

1 county commissioners until the next general election. A new county
2 executive shall be elected at the next general election after the
3 resignation or death of a county executive and in the manner
4 provided in this section for the election of county executives. The
5 newly elected county executive shall serve a term equal to the
6 balance of the term for which the county executive who resigned or
7 died was elected.

8 (5) The salary of the county executive for the initial term
9 shall be established by the board of county commissioners at least
10 6 months before the effective date of the optional unified form of
11 county government, containing alternate B. The salary shall be
12 established by the board consistent with the procedures established
13 for other elected officials. The county executive's salary shall be
14 commensurate with the duties and responsibilities of the office.
15 The salary of a county executive shall not be reduced during his or
16 her term of office except as part of a general salary reduction.

17 (6) AT THE GENERAL NOVEMBER ELECTION IN 2016, FOR A COUNTY
18 WITH A POPULATION OF MORE THAN 1,000,000, A COUNTY EXECUTIVE WHO IS
19 A QUALIFIED ELECTOR IN THE COUNTY SHALL BE ELECTED ON A PARTISAN
20 BASIS FOR A TERM OF 2 YEARS BEGINNING ON JANUARY 1, 2017 AND ENDING
21 ON DECEMBER 31, 2018.

22 (7) AT THE GENERAL NOVEMBER ELECTION IN 2018 AND EVERY FOURTH
23 YEAR AFTER THAT, FOR A COUNTY WITH A POPULATION OF MORE THAN
24 1,000,000, A COUNTY EXECUTIVE WHO IS A QUALIFIED ELECTOR IN THE
25 COUNTY SHALL BE ELECTED ON A PARTISAN BASIS FOR A TERM OF 4 YEARS
26 BEGINNING ON JANUARY 1 FOLLOWING THE ELECTION.