

SENATE BILL No. 258

March 12, 2013, Introduced by Senators BRANDENBURG and JONES and referred to the Committee on Local Government and Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 642 and 642a (MCL 168.642 and 168.642a), as amended by 2012 PA 523.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 642. (1) Except as otherwise provided in this section and
2 section 642a, on the effective date of this act, a city shall hold
3 its regular election or regular primary election as follows:

4 (a) A city shall hold its regular election for a city office
5 at the odd year general election.

6 (b) A city shall hold its regular election primary at the odd
7 year primary election.

8 (c) A city that holds its regular election for a city office

1 annually or in the even year on the November regular election date
2 shall continue holding elections on that schedule.

3 (d) A city that holds its regular election primary for a city
4 office annually or in the even year on the August regular primary
5 election date shall continue holding primary elections on that
6 schedule.

7 (2) If, on September 1, 2004, a city holds its regular
8 election at other than a regular November election date, the city
9 council may choose to hold the regular election on the May regular
10 election date by adopting a resolution in compliance with this
11 section. Except as provided in section 642a, if a city council
12 adopts the resolution in compliance with this section to hold its
13 regular election on the May regular election date, after December
14 31, 2004, the city's regular election is on the May regular
15 election date. If a city's regular election is held on the May
16 regular election date, the city's regular election primary shall be
17 held on the February regular election date immediately before its
18 regular election.

19 (3) If, on September 1, 2004, a city holds its regular
20 election annually or in the even year on the November regular
21 election date, the city council may choose to hold the regular
22 election at the odd year general election by adopting a resolution
23 in compliance with this section. Except as provided in section
24 642a, if a city council adopts the resolution in compliance with
25 this section to hold its regular election at the odd year general
26 election, after December 31, 2004, the city's regular election is
27 at the odd year election. If a city's regular election is held at

1 the odd year general election, the city's regular election primary
2 shall be held at the odd year primary election.

3 (4) If, on September 1, 2004, a city holds its regular
4 election annually on the November regular election date, the city
5 council may choose to hold the regular election at the even year
6 general election by adopting a resolution in compliance with this
7 section. Except as provided in section 642a, if a city council
8 adopts the resolution in compliance with this section to hold its
9 regular election at the even year general election, after December
10 31, 2004, the city's regular election is at the even year election.
11 If a city's regular election is held at the even year general
12 election, the city's regular election primary shall be held at the
13 even year primary election.

14 ~~(5) Except as otherwise provided in section 642a, on September~~
15 ~~1, 2004, a~~ A village shall hold its regular election as follows:

16 (a) A village shall hold its regular election for a village
17 office at the general election and the appropriate township clerk
18 shall conduct the election.

19 (b) A village shall not hold a regular primary election.

20 (6) A resolution permitted under this section or section 642a
21 is valid only if a city council adopts the resolution in compliance
22 with all of the following:

23 (a) The resolution is adopted before 1 of the following:

24 (i) If the resolution is permitted under subsection (2), (3),
25 or (4), January 1, 2005.

26 (ii) If the resolution is permitted under section 642a(1), (2),
27 or (4), January 1 of the year in which the change in the date of

1 the election takes effect.

2 (iii) IF THE RESOLUTION IS PERMITTED UNDER SECTION 642A(5),
3 APRIL 15, 2013.

4 (b) Before adopting the resolution, the council holds at least
5 1 public hearing on the resolution. The public hearing may be held
6 on the same day and immediately before considering the adoption of
7 the resolution.

8 (c) The council gives notice of each public hearing on the
9 resolution in a manner designed to reach the largest number of the
10 jurisdiction's qualified electors in a timely fashion.

11 (d) The council votes on the resolution and, on a record roll
12 call vote, a majority of the council's board members, elected or
13 appointed, and serving, adopt the resolution.

14 (e) The council files the resolution with the secretary of
15 state.

16 Sec. 642a. (1) After December 31, 2004, a city council that
17 adopted a resolution so that its regular election is held on the
18 May regular election date may change its regular election to the
19 odd year general election by adopting a resolution in compliance
20 with section 642. If a city council adopts the resolution in
21 compliance with section 642 to hold its regular election at the odd
22 year general election, after December 31 of the year in which the
23 resolution is adopted, the city's regular election is at the odd
24 year general election.

25 (2) After December 31, 2004, a city council that holds its
26 regular election for city offices annually or in the even year on
27 the November regular election date may change its regular election

1 schedule to the odd year general election and the odd year primary
2 election by adopting a resolution in compliance with section 642.
3 If a city council adopts the resolution in compliance with section
4 642, the city's regular election is at the odd year general
5 election and its primary is at the odd year primary election.

6 (3) After December 31, 2010, a city that adopted a resolution
7 so that its regular election primary is held at the September
8 election shall hold its regular election primary at the odd year
9 primary election.

10 (4) After December 31, 2011, a city that holds its regular
11 election for city offices annually or in the odd year on the
12 November regular election date may change its regular election
13 schedule to the even year general election and the even year
14 primary election by adopting a resolution in compliance with
15 section 642. If a city council adopts the resolution in compliance
16 with section 642, after December 31 of the year in which the
17 resolution is adopted, the city's regular election is at the even
18 year general election and its primary is at the even year primary
19 election. **IF, ON OR BEFORE DECEMBER 31, 2012, A CITY COUNCIL**
20 **ADOPTED A RESOLUTION IN COMPLIANCE WITH SECTION 642 TO CHANGE ITS**
21 **REGULAR ELECTION SCHEDULE TO THE EVEN YEAR GENERAL ELECTION AND THE**
22 **EVEN YEAR PRIMARY ELECTION, AFTER DECEMBER 31, 2012, THE CITY'S**
23 **REGULAR ELECTION IS AT THE EVEN YEAR GENERAL ELECTION AND ITS**
24 **PRIMARY IS AT THE EVEN YEAR PRIMARY ELECTION.**

25 (5) **ON OR AFTER JANUARY 1, 2013 AND ON OR BEFORE APRIL 15,**
26 **2013, A CITY THAT HOLDS ITS REGULAR ELECTION FOR CITY OFFICES**
27 **ANNUALLY OR IN THE ODD YEAR ON THE NOVEMBER REGULAR ELECTION DATE**

1 MAY CHANGE ITS REGULAR ELECTION SCHEDULE TO THE EVEN YEAR GENERAL
2 ELECTION AND THE EVEN YEAR PRIMARY ELECTION BY ADOPTING A
3 RESOLUTION IN COMPLIANCE WITH SECTION 642. IF A CITY COUNCIL ADOPTS
4 A RESOLUTION IN COMPLIANCE WITH SECTION 642 TO CHANGE ITS REGULAR
5 ELECTION SCHEDULE TO THE EVEN YEAR GENERAL ELECTION AND THE EVEN
6 YEAR PRIMARY ELECTION, AFTER APRIL 15, 2013, THE CITY'S REGULAR
7 ELECTION IS AT THE EVEN YEAR GENERAL ELECTION AND ITS PRIMARY IS AT
8 THE EVEN YEAR PRIMARY ELECTION.

9 (6) ~~(5)~~—After December 31, 2012, a village that adopted a
10 resolution so that its regular election is held at the September
11 election shall hold its regular election at the general November
12 election.