

Legislative Analysis



ELIMINATE MAY ELECTION AND MOVE AUGUST PRIMARY TO JUNE

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House Bill 4530 (H-1) as reported from committee
Sponsor: Rep. Julie Calley

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4531 (H-1) as reported
Sponsor: Rep. Graham Filler

House Bill 4532 (H-1) as reported
Sponsor: Rep. Karen Whitsett

House Bill 4533 (H-1) as reported
Sponsor: Rep. Ranjeev Puri

Committee: Elections and Ethics
Complete to 4-22-21

SUMMARY:

House Bills 4530 to 4533 would amend different acts to move the date of the primary election in Michigan from August to June and remove the May regular election date. The November regular election date would remain unchanged. The bills would take effect January 1, 2023.

2015 PAs 98 to 103,¹ which eliminated the February election date, are the most recent modifications to the state's election dates. From 2003 until their enactment, Michigan had four days identified as possible election days: the fourth Tuesday in February, the first Tuesday after the first Monday in May, the first Tuesday after the first Monday in August; and the first Tuesday after the first Monday in November. Since that time, only the May, August, and November dates have remained.

Currently under the law, the primary election is held on the Tuesday after the first Monday in August. HBs 4530 to 4533 would move that election date to the third Tuesday in June. They would also eliminate the May regular election.

The bills would make this change in the following statutes:

- Michigan Election Law (HB 4530)
- Revised School Code (HB 4531)
- 1851 PA 156, which pertains to county boards of commissioners (HB 4532)
- Revised Judicature Act (HB 4533)

House Bill 4530 would replace the May and August regular election dates in the Michigan Election Law with a June regular election date.

Nominating petitions, which are currently received by the secretary of state, county clerk, or township clerk until 4 p.m. of the fifteenth Tuesday before the August primary, would be received until 4 p.m. of the fifteenth Tuesday before the June primary.

¹ House Fiscal Agency analysis of 2015 PAs 98 to 103 (HBs 4271 to 4274, 4276, and 4385):
<http://www.legislature.mi.gov/documents/2015-2016/billanalysis/House/pdf/2015-HLA-4271-A0472AB0.pdf>

The bill would also move, from April 1 to February 1 in even-numbered years, the requirement that a certificate showing the number of delegates to the county convention be sent to election commissioners. Notice of that requirement from a party's state central committee would also be moved from a deadline of March 1 to January 1. Then, delegates would be elected at the June primary of even-numbered years (instead of the current August election).

Additionally, after December 31, 2022, a city council that held its regular election on the May regular election date would instead hold it on the June regular election date. Also after December 31, 2022, a city that held its regular election primary for city office annually or in the even-numbered year on the August regular primary date would instead hold it on the June regular primary election date.

The bill would set recall elections for the next June regular election date or the next November regular election date, whichever occurs first, after a recall petition is properly filed. Currently under the law, a recall election is scheduled at the next May or August election.

MCL 168.3 et seq.

House Bill 4531 would amend the terms of appointed intermediate school district (ISD) electors under the Revised School Code. Currently, certain electors serve until January 1 or, if the ISD's regular school election is held in May, until July 1 after the next ISD election. With the removal of the May election date under HB 4530, all applicable terms would run until January 1.

MCL 380.702 and 380.703

House Bill 4532 would amend 1851 PA 156, known as the county boards of commissioners act, to change the reference to the election of a township board for a consolidated township from the next August primary to the next June primary, as proposed under HB 4530.

MCL 46.16c

House Bill 4533 would amend the Revised Judicature Act to revise references to the filing of election-related documents so that due dates are tolled from the proposed June primary instead of the August primary.

MCL 600.550 et seq.

BRIEF DISCUSSION:

School groups generally opposed HBs 4530 and 4531 because of the removal of an election date and the revised timing of elections. Generally, school districts tend to put bond issues before voters when the bond markets are in the best position, and two elections instead of three would restrict those options. Additionally, if a bond issue was not passed by voters, districts would have to wait for five or seven months before offering it to voters again. In the case of the 18-mill non-homestead millage, if the millage is not passed, the district does not receive per pupil funding from the state. While some argued that few voters participate in May elections and the few school bonding issues on the ballot make it a "stealth election," school groups argued that fewer issues on the ballot provides an opportunity to educate voters about

lower profile issues and to have a more informed electorate on issues at the end of an otherwise lengthy ballot.

FISCAL IMPACT:

House Bills 4530 through 4533 would allow for cost savings to cities and townships as well as lesser, marginal savings to counties. Savings to cities and townships would be realized to the extent that the bills would limit a jurisdiction to holding only two elections in a year that it otherwise would have held three elections.

In 2017, the Department of State reported that the cost range of an average election is \$2,000 to \$2,700 per precinct. An updated per-precinct cost estimate from the department was not available at the time of this analysis. Cities and townships with the greatest number of precincts would realize the greatest savings if the bill reduces the number of elections they hold in a year. Assuming that the per-precinct cost has remained unchanged since 2017, the city of Detroit could potentially save approximately \$1.0 million, while mid-sized cities, such as Kalamazoo, could save approximately \$28,000 in years they would have held three elections. Cities and townships with more precincts are more likely than townships with only one precinct to hold three elections in one year. On average, approximately 20% of the state's precincts hold three elections in one year. Counties would also realize some marginal savings from the bills, associated with fewer administrative costs.

POSITIONS:

The following entities indicated support for the bills:

- Michigan League of Conservation Voters (3-23-21)
- Michigan Association of Municipal Clerks (3-23-21)
- Michigan Association of County Clerks (4-13-21)

A representative of the Michigan Association of School Boards testified in opposition to HBs 4530 and 4531. (3-23-21)

The following entities indicated opposition to HBs 4530 and 4531 (3-23-21):

- ESA Legislative Group
- West Michigan Talent Triangle
- Michigan Association of Superintendents and Administrators
- Wayne RESA
- The School Equity Caucus

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Fiscal Analyst: Michael Cnossen

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.