

HOUSE BILL No. 6707

November 19, 2008, Introduced by Reps. Ward, Melton and Hammon and referred to the Committee on Education.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 302 and 644g (MCL 168.302 and 168.644g),
section 302 as amended by 2005 PA 71 and section 644g as amended by
2004 PA 293, and by adding section 642c.

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~~ **642C**. Except as otherwise provided in this

1 section or section 310 or 644g, a school board member's term of
2 office is prescribed by the applicable provision of section 11a,
3 617, 701, or 703 of the revised school code, 1976 PA 451, MCL
4 380.11a, 380.617, 380.701, and 380.703, or section 34, 34a, 41, 54,
5 or 83 of the community college act of 1966, 1966 PA 331, MCL
6 389.34, 389.34a, 389.41, 389.54, and 389.83. Except as provided in
7 section 302a, if a ballot question changing the number of school
8 board members or changing the terms of office for school board
9 members pursuant to section 11a of the revised school code, 1976 PA
10 451, MCL 380.11a, is proposed and a school district needs a
11 temporary variance from the terms of office provisions in this act
12 and the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, to
13 phase in or out school board members' terms of office, the school
14 board shall submit the proposed ballot question language and a
15 proposed transition plan to the secretary of state at least 30 days
16 before the school board submits the ballot question language to the
17 school district election coordinator pursuant to section 312. The
18 secretary of state shall approve or reject the proposed transition
19 plan within 10 business days of receipt of the proposed transition
20 plan. The secretary of state shall approve the proposed transition
21 plan if the plan provides only temporary relief to the school
22 district from the terms of office provisions in this act and the
23 revised school code, 1976 PA 451, MCL 380.1 to 380.1852, until such
24 time that the terms of office for school board members can be made
25 to comply with this act and the revised school code, 1976 PA 451,
26 MCL 380.1 to 380.1852. The school board shall not submit the
27 proposed ballot question language to the school district election

1 coordinator pursuant to section 312 until the proposed transition
2 plan is approved by the secretary of state. A school board member's
3 term begins on 1 of the following dates:

4 (a) If elected at an election held on a November regular
5 election date, January 1 immediately following the election.

6 (b) If elected at an election held on a May regular election
7 date, July 1 immediately following the election.

8 **SEC. 642C. (1) BEGINNING JANUARY 1, 2009, A SCHOOL DISTRICT**
9 **SHALL HOLD ITS REGULAR ELECTION FOR THE OFFICE OF SCHOOL BOARD**
10 **MEMBER ON 1 OF THE FOLLOWING:**

11 (A) THE ODD YEAR GENERAL ELECTION.

12 (B) THE GENERAL NOVEMBER ELECTION.

13 (C) THE NOVEMBER REGULAR ELECTION DATE IN BOTH EVEN AND ODD
14 YEARS.

15 (2) A SCHOOL DISTRICT'S SCHOOL BOARD SHALL ADOPT A RESOLUTION
16 TO HOLD ITS REGULAR ELECTION ON A DATE IN COMPLIANCE WITH THIS
17 SECTION.

18 Sec. 644g. (1) A term of office shall not be shortened by the
19 provisions of sections 641 to 644i. An officer scheduled by prior
20 law to be elected at a time other than the odd year general
21 election shall not be elected on the date scheduled but shall
22 continue in office until a successor takes office after being
23 elected in the first odd year general election following that date.
24 If the regular election date for holding a jurisdiction's regular
25 election is changed under section 642, ~~or 642a~~, **OR 642C**, the term
26 of an official who was elected before the effective date of the
27 change continues until a successor is elected and qualified at the

1 next regular election.

2 (2) Notwithstanding a law or charter provision to the
3 contrary, an officer required to be elected at the odd year general
4 election, who by law or charter is elected for a term of an odd
5 number of years shall, after September 1, 2004, be elected for a
6 term of 1 year longer than provided by law or charter.

7 (3) In home rule cities where the charter provides for the
8 election of city officers at a time other than at the odd year
9 general election and provides that members of the governing body
10 are not all to be elected in the same year, the governing body by
11 ordinance adopted prior to April 1, 1971 may alter the length of
12 terms now provided by charter to provide that the city may continue
13 to elect part of the governing body at each election. A term shall
14 not be extended beyond January 1 following the first odd year
15 general election at which the officer would be elected as provided
16 by charter. A term shall not be for more than 4 years.

17 Enacting section 1. This amendatory act takes effect January
18 1, 2009.