

SENATE BILL No. 45

(as amended February 18, 2015)

January 28, 2015, Introduced by Senator ROBERTSON and referred to the Committee on Elections and Government Reform.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 641 (MCL 168.641), as amended by 2005 PA 71.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 641. (1) Except as otherwise provided in this section,
2 ~~and sections 642 and 642a, beginning January 1, 2005, an election~~
3 held under this act shall be held on 1 of the following regular
4 election dates:

5 (a) The February regular election date, which is the fourth
6 Tuesday in February. **HOWEVER, IN EACH PRESIDENTIAL ELECTION YEAR**
7 **WHEN A STATEWIDE PRESIDENTIAL PRIMARY IS HELD UNDER SECTION 613A,**
8 **THE FEBRUARY REGULAR ELECTION DATE IS THE [SECOND] TUESDAY IN MARCH.**

9 (b) The May regular election date, which is the first Tuesday
10 after the first Monday in May.

11 (c) The August regular election date, which is the first

1 Tuesday after the first Monday in August.

2 (d) The November regular election date, which is the first
3 Tuesday after the first Monday in November.

4 (2) If an elective office is listed by name in section 643,
5 requiring the election for that office to be held at the general
6 election, and if candidates for the office are nominated at a
7 primary election, the primary election shall be held on the August
8 regular election date.

9 (3) Except as otherwise provided in this subsection and
10 subsection (4), a special election shall be held on a regular
11 election date. A special election called by the governor under
12 section 145, 178, 632, 633, or 634 to fill a vacancy or called by
13 the legislature to submit a proposed constitutional amendment as
14 authorized in section 1 of article XII of the state constitution of
15 1963 may, but is not required to be, held on a regular election
16 date.

17 (4) A school district may call a special election to submit a
18 ballot question to borrow money, increase a millage, or establish a
19 bond if an initiative petition is filed with the county clerk. The
20 petition shall be signed by a number of qualified and registered
21 electors of the district equal to not less than 10% of the electors
22 voting in the last gubernatorial election in that district or 3,000
23 signatures, whichever number is lesser. Section 488 applies to a
24 petition to call a special election for a school district under
25 this section. In addition to the requirements set forth in section
26 488, the proposed date of the special election shall appear beneath
27 the petition heading, and the petition shall clearly state the

1 amount of the millage increase or the amount of the loan or bond
2 sought and the purpose for the millage increase or the purpose for
3 the loan or bond. The petition shall be filed with the county clerk
4 by 4 p.m. of the twelfth Tuesday before the proposed date of the
5 special election. The petition signatures shall be obtained within
6 60 days before the filing of the petition. Any signatures obtained
7 more than 60 days before the filing of the petition are not valid.
8 If the special election called by the school district is not
9 scheduled to be held on a regular election date as provided in
10 subsection (1), the special election shall be held on a Tuesday. A
11 special election called by a school district under this subsection
12 shall not be held within 30 days before or 35 days after a regular
13 election date as provided in subsection (1). A school district may
14 only call 1 special election pursuant to this subsection in each
15 calendar year.

16 ~~—— (5) The secretary of state shall make a report to the house~~
17 ~~and senate committees that consider election issues by December 1,~~
18 ~~2006. The secretary of state shall report about the special~~
19 ~~elections held under this subsection, including, but not limited~~
20 ~~to, all of the following:~~

21 ~~—— (a) The number of times a special election has been held.~~

22 ~~—— (b) Which school districts have held special elections.~~

23 ~~—— (c) Information about the success rate of the ballot question~~
24 ~~submitted at the special elections.~~

25 ~~—— (d) Information about voter turnout, including the percentage~~
26 ~~and number of registered voters who voted in each special election.~~

27 (5) ~~(6)~~ The secretary of state shall direct and supervise the

1 consolidation of all elections held under this act.

2 (6) ~~(7)~~—This section shall be known and may be cited as the
3 "Hammerstrom election consolidation law".

4 Enacting section 1. This amendatory act takes effect 90 days
5 after the date it is enacted into law.

6 Enacting section 2. This amendatory act does not take effect
7 unless Senate Bill No.44

8 of the 98th Legislature is enacted into law.