

HOUSE BILL No. 4815

July 12, 2017, Introduced by Reps. Lilly, Lower and Albert and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 312, 497a, 641, and 821 (MCL 168.312,
168.497a, 168.641, and 168.821), section 312 as amended by 2013 PA
253, section 497a as amended by 1986 PA 220, section 641 as amended
by 2015 PA 197, and section 821 as amended by 2003 PA 302.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 312. (1) A school board may submit a ballot question to
2 the school electors on a regular election date, on a date when a
3 city or township within the school district's jurisdiction is
4 holding an election by adopting a resolution to that effect not
5 later than 4 p.m. on the twelfth Tuesday before the election date,
6 or on a special election date as provided in section 641(4). The
7 school board shall certify the ballot question language to the
8 school district election coordinator not later than 4 p.m. on the

1 twelfth Tuesday before the election date. The school district
 2 election coordinator shall send a copy of the ballot question
 3 language to the county clerk of each county not less than 82 days
 4 before the election.

5 (2) If a special election is called on a date provided under
 6 section 641(4), the school district election coordinating committee
 7 shall schedule the special election date.

8 **(3) BEGINNING JANUARY 1, 2018, THIS SECTION IS SUBJECT TO THE**
 9 **LIMITATION IN SECTION 24F(4) OF THE GENERAL PROPERTY TAX ACT, 1893**
 10 **PA 206, MCL 211.24F.**

11 Sec. 497a. The 30-day limitation contained in section 497
 12 ~~shall~~**DOES** not apply to a second school millage election allowable
 13 under section 36(3) of the general property tax act, ~~Act No. 206 of~~
 14 ~~the Public Acts of 1893, as amended, being section 211.36 of the~~
 15 ~~Michigan Compiled Laws, 1893 PA 206, MCL 211.36,~~ or to a first
 16 school millage election held under section 36(2) **OF THE GENERAL**
 17 **PROPERTY TAX ACT, 1893 PA 206, MCL 211.36,** during calendar year
 18 1986 if a school district's operating revenue is less than the
 19 total operating revenue for the previous school year. For those
 20 elections, a registration taken on the days intervening between the
 21 tenth day ~~preceding~~**BEFORE** the election and the day of the election
 22 ~~shall~~**IS** not be valid for that election, but ~~shall be~~**IS** valid for
 23 a subsequent regular, primary, or special election of the district.
 24 **BEGINNING JANUARY 1, 2018, THIS SECTION IS SUBJECT TO THE**
 25 **LIMITATION IN SECTION 24F(4) OF THE GENERAL PROPERTY TAX ACT, 1893**
 26 **PA 206, MCL 211.24F.**

27 Sec. 641. (1) Except as otherwise provided in this section, an

1 election held under this act ~~shall~~**MUST** be held on 1 of the
2 following regular election dates:

3 (a) The May regular election date, which is the first Tuesday
4 after the first Monday in May.

5 (b) The August regular election date, which is the first
6 Tuesday after the first Monday in August.

7 (c) The November regular election date, which is the first
8 Tuesday after the first Monday in November.

9 (d) In each presidential election year when a statewide
10 presidential primary election is held, the date of the statewide
11 presidential primary election as provided in section 613a.

12 (2) If an elective office is listed by name in section 643,
13 requiring the election for that office to be held at the general
14 election, and if candidates for the office are nominated at a
15 primary election, the primary election ~~shall~~**MUST** be held on the
16 August regular election date.

17 (3) Except as otherwise provided in this subsection and
18 subsection (4), a special election ~~shall~~**MUST** be held on a regular
19 election date. A special election called by the governor under
20 section 145, 178, 632, 633, or 634 to fill a vacancy or called by
21 the legislature to submit a proposed constitutional amendment as
22 authorized in section 1 of article XII of the state constitution of
23 1963 may, but is not required to be, held on a regular election
24 date.

25 (4) A school district may call a special election to submit a
26 ballot question to borrow money, increase a millage, or establish a
27 bond if an initiative petition is filed with the county clerk. The

1 petition ~~shall~~**MUST** be signed by a number of qualified and
 2 registered electors of the district equal to not less than 10% of
 3 the electors voting in the last gubernatorial election in that
 4 district or 3,000 signatures, whichever number is ~~lesser~~**LESS**.
 5 Section 488 applies to a petition to call a special election for a
 6 school district under this section. In addition to the requirements
 7 set forth in section 488, the proposed date of the special election
 8 ~~shall~~**MUST** appear beneath the petition heading, and the petition
 9 ~~shall~~**MUST** clearly state the amount of the millage increase or the
 10 amount of the loan or bond sought and the purpose for the millage
 11 increase or the purpose for the loan or bond. The petition ~~shall~~
 12 **MUST** be filed with the county clerk by 4 p.m. of the twelfth
 13 Tuesday before the proposed date of the special election. The
 14 petition signatures ~~shall~~**MUST** be obtained within 60 days before
 15 the filing of the petition. Any signatures obtained more than 60
 16 days before the filing of the petition are not valid. If the
 17 special election called by the school district is not scheduled to
 18 be held on a regular election date as provided in subsection (1),
 19 the special election ~~shall~~**MUST** be held on a Tuesday. A special
 20 election called by a school district under this subsection ~~shall~~
 21 **MUST** not be held within 30 days before or 35 days after a regular
 22 election date as provided in subsection (1). A school district may
 23 only call 1 special election ~~pursuant to~~**UNDER** this subsection in
 24 each calendar year. **BEGINNING JANUARY 1, 2018, THIS SUBSECTION IS**
 25 **SUBJECT TO THE LIMITATION IN SECTION 24F(4) OF THE GENERAL PROPERTY**
 26 **TAX ACT, 1893 PA 206, MCL 211.24F.**

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

1 consolidation of all elections held under this act.

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

4 Sec. 821. (1) The board of county canvassers shall meet at the
5 office of the county clerk at 1 p.m. on the day after the day of a
6 general election, August primary, or presidential primary election
7 in the county. Except as provided in subsection (2), for other
8 elections the board shall meet within 5 days following the
9 election.

10 (2) If, at an election held on the May regular election date,
11 a ballot question appears on the ballot concerning authorized
12 millage that is subject to a millage reduction as provided in
13 section 34d of the general property tax act, 1893 PA 206, MCL
14 211.34d, the board of county canvassers shall meet to canvass and
15 certify the results of the vote on that proposition after May 31
16 and before June 15 following the election. **BEGINNING JANUARY 1,**
17 **2018, THIS SUBSECTION IS SUBJECT TO THE LIMITATION IN SECTION**
18 **24F(4) OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.24F.**

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

21 Enacting section 2. This amendatory act does not take effect
22 unless Senate Bill No. ____ or House Bill No. 4814 (request no.
23 02073'17 *) of the 99th Legislature is enacted into law.