

HOUSE BILL NO. 6239

June 16, 2022, Introduced by Reps. Yaroach and Bellino and referred to the Committee on Local Government and Municipal Finance.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 312 and 641 (MCL 168.312 and 168.641), section
312 as amended by 2013 PA 253 and section 641 as amended by 2015 PA
197.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 312. (1) ~~A—Subject to subsection (3),~~ a school board may
2 submit a ballot question to the school electors on a regular
3 election date, on a date when a city or township within the school

district's jurisdiction is holding an election by adopting a resolution to that effect not later than 4 p.m. on the twelfth Tuesday before the election date, or on a special election date as provided in section 641(4). The school board shall certify the ballot question language to the school district election coordinator not later than 4 p.m. on the twelfth Tuesday before the election date. The school district election coordinator shall send a copy of the ballot question language to the county clerk of each county not less than 82 days before the election.

(2) ~~If~~ **Subject to subsection (3), if** a special election is called on a date provided under section 641(4), the school district election coordinating committee shall schedule the special election date.

(3) Beginning January 1, 2023, this section is subject to the limitation in section 24f(4) of the general property tax act, 1893 PA 206, MCL 211.24f.

Sec. 641. (1) Except as otherwise provided in this section, an election held under this act ~~shall~~ **must** be held on 1 of the following regular election dates:

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

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

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

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

(2) If an elective office is listed by name in section 643,

1 requiring the election for that office to be held at the general
2 election, and if candidates for the office are nominated at a
3 primary election, the primary election ~~shall~~**must** be held on the
4 August regular election date.

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

13 (4) A school district may call a special election to submit a
14 ballot question to borrow money, increase a millage, or establish a
15 bond if an initiative petition is filed with the county clerk. The
16 petition ~~shall~~**must** be signed by a number of qualified and
17 registered electors of the district equal to not less than 10% of
18 the electors voting in the last gubernatorial election in that
19 district or 3,000 signatures, whichever number is ~~lesser~~**less**.
20 Section 488 applies to a petition to call a special election for a
21 school district under this section. In addition to the requirements
22 set forth in section 488, the proposed date of the special election
23 ~~shall~~**must** appear beneath the petition heading, and the petition
24 ~~shall~~**must** clearly state the amount of the millage increase or the
25 amount of the loan or bond sought and the purpose for the millage
26 increase or the purpose for the loan or bond. The petition ~~shall~~
27 **must** be filed with the county clerk by 4 p.m. of the twelfth
28 Tuesday before the proposed date of the special election. The
29 petition signatures ~~shall~~**must** be obtained within 60 days before

1 the filing of the petition. Any signatures obtained more than 60
 2 days before the filing of the petition are not valid. If the
 3 special election called by the school district is not scheduled to
 4 be held on a regular election date as provided in subsection (1),
 5 the special election ~~shall~~**must** be held on a Tuesday. A special
 6 election called by a school district under this subsection ~~shall~~
 7 **must** not be held within 30 days before or 35 days after a regular
 8 election date as provided in subsection (1). A school district may
 9 only call 1 special election ~~pursuant to~~**under** this subsection in
 10 each calendar year. **Beginning January 1, 2023, this subsection is**
 11 **subject to the limitation in section 24f(4) of the general property**
 12 **tax act, 1893 PA 206, MCL 211.24f.**

13 (5) The secretary of state shall direct and supervise the
 14 consolidation of all elections held under this act.

15 (6) This section ~~shall be known and~~ may be cited as the
 16 "Hammerstrom election consolidation law".

17 Enacting section 1. This amendatory act does not take effect
 18 unless Senate Bill No. ____ or House Bill No. 6240 (request no.
 19 05197'21) of the 101st Legislature is enacted into law.