

SENATE BILL NO. 23

January 13, 2021, Introduced by Senator RUNESTAD and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 312, 641, and 821 (MCL 168.312, 168.641, and
168.821), section 312 as amended by 2013 PA 253, section 641 as
amended by 2015 PA 197, and section 821 as amended by 2018 PA 614.

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
4 district's jurisdiction is holding an election by adopting a

1 resolution to that effect not later than 4 p.m. on the twelfth
 2 Tuesday before the election date, or on a special election date as
 3 provided in section 641(4). The school board shall certify the
 4 ballot question language to the school district election
 5 coordinator not later than 4 p.m. on the twelfth Tuesday before the
 6 election date. The school district election coordinator shall send
 7 a copy of the ballot question language to the county clerk of each
 8 county not less than 82 days before the election.

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

13 (3) **Beginning January 1, 2022, this section is subject to the**
 14 **limitation in section 24f(4) of the general property tax act, 1893**
 15 **PA 206, MCL 211.24f.**

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

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

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

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

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

28 (2) If an elective office is listed by name in section 643,
 29 requiring the election for that office to be held at the general

election, and if candidates for the office are nominated at a primary election, the primary election ~~shall~~**must** be held on the August regular election date.

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

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

1 days before the filing of the petition are not valid. If the
 2 special election called by the school district is not scheduled to
 3 be held on a regular election date as provided in subsection (1),
 4 the special election ~~shall~~**must** be held on a Tuesday. A special
 5 election called by a school district under this subsection ~~shall~~
 6 **must** not be held within 30 days before or 35 days after a regular
 7 election date as provided in subsection (1). A school district may
 8 only call 1 special election ~~pursuant to~~**under** this subsection in
 9 each calendar year. **Beginning January 1, 2022, this subsection is**
 10 **subject to the limitation in section 24f(4) of the general property**
 11 **tax act, 1893 PA 206, MCL 211.24f.**

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

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

16 Sec. 821. (1) Except as provided in subsection (2), the board
 17 of county canvassers shall meet at the office of the county clerk
 18 no later than 9 a.m. on the Thursday after any election held in the
 19 county. The county clerk or the county clerk's staff shall
 20 determine the meeting date and time for the board of county
 21 canvassers.

22 (2) ~~If,~~**Subject to this subsection, if,** at an election held on
 23 the May regular election date, a ballot question appears on the
 24 ballot concerning an authorized millage that is subject to a
 25 millage reduction as provided in section 34d of the general
 26 property tax act, 1893 PA 206, MCL 211.34d, the board of county
 27 canvassers shall meet to canvass and certify the results of the
 28 vote on that proposition after May 31 and before June 15 following
 29 the election. **Beginning January 1, 2022, this subsection is subject**

1 to the limitation in section 24f(4) of the general property tax
2 act, 1893 PA 206, MCL 211.24f.

3 Enacting section 1. This amendatory act does not take effect
4 unless Senate Bill No. 22 of the 101st Legislature is enacted into
5 law.