

SENATE BILL NO. 86

February 12, 2025, Introduced by Senator HOITENGA and referred to Committee on Housing and Human Services.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 46 (MCL 400.46).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 46. (1) The administration of the powers and duties of
2 the county department ~~shall be~~ **is** vested in a county social
3 services board of 3 members, appointed from ~~persons~~ **individuals**
4 residing within the county, ~~and not holding an elective office,~~ for
5 3-year terms as follows: 2

1 (a) **Two** members ~~shall~~**must** be appointed by the county board of
2 commissioners. ~~and 1~~

3 (b) **One** member **must be appointed** by the director of ~~social~~
4 **health and human** services.

5 (2) Members appointed before October 27, 1965 ~~shall~~ continue
6 in office until the expiration of ~~their~~**the members'** terms and
7 until successors are appointed and qualified. Each member shall
8 qualify by taking and filing with the county clerk the
9 constitutional oath of office, and ~~shall~~ hold office until the
10 appointment and qualification of a successor. ~~Vacancies~~**If a**
11 **vacancy occurs** in the membership of the board, ~~shall be filled for~~
12 ~~the expiration of the unexpired term, in the same manner as~~
13 ~~provided for appointment of the original members.~~**the appointing**
14 **authority shall make an appointment for the unexpired term in the**
15 **same manner as the original appointment.**

16 (3) ~~(2)~~The business ~~which~~**that** the county social services
17 board may perform ~~shall~~**must** be conducted at a public meeting of
18 the county social services board held in compliance with ~~Act No.~~
19 ~~267 of the Public Acts of 1976.~~**the open meetings act, 1976 PA 267,**
20 **MCL 15.261 to 15.275.** Public notice of the time, date, and place of
21 the meeting ~~shall~~**must** be given in the manner required by ~~Act No.~~
22 ~~267 of the Public Acts of 1976.~~**the open meetings act, 1976 PA 267,**
23 **MCL 15.261 to 15.275.** A majority of the board constitutes a quorum
24 for the transaction of business. The board shall meet on the call
25 of the chairperson, or on a written request to the chairperson
26 signed by 2 members of the board, or at times and places as
27 prescribed by the rules of the board. The board shall hold not less
28 than 12 meetings each fiscal year with an interval of not more than
29 5 weeks between 2 meetings.

1 (4) ~~(3)~~—At the first meeting following the appointment of a
2 new member to the board, the members shall choose 1 member as
3 chairperson, who shall continue to act as chairperson of the board
4 until the selection of a successor.

5 (5) ~~(4)~~—If a member of the county social services board, upon
6 receiving notification, fails to attend 3 consecutive regularly
7 scheduled meetings of the board, the county board of commissioners
8 after notification from the county social services board of the
9 failure of a member to attend without reasonable cause such as
10 illness or other circumstances beyond the member's control shall by
11 formal vote excuse the member or declare the office vacant. The
12 vacancy ~~shall~~**must** be filled for the remainder of the unexpired
13 term in the same manner as the original appointment was made.

14 (6) ~~(5)~~—Members of the board shall be reimbursed for necessary
15 travel and other expenses, and ~~shall~~ be paid ~~such an~~ amount ~~as~~
16 ~~shall be~~**that is** fixed by the **county** board of commissioners or
17 board of county auditors.

18 (7) ~~(6)~~—Except as ~~prescribed in~~**otherwise provided under**
19 sections 35 and 64, a writing prepared, owned, used, in the
20 possession of, or retained by the county social services board in
21 the performance of an official function ~~shall~~**must** be made
22 available to the public in compliance with ~~Act No. 442 of the~~
23 ~~Public Acts of 1976.~~**the freedom of information act, 1976 PA 442,**
24 **MCL 15.231 to 15.246.**