

# HOUSE BILL No. 4592

April 17, 2001, Introduced by Reps. Ruth Johnson, Toy, Julian, Raczkowski, Pappageorge, Voorhees, Shulman, Rocca, Gosselin and Bishop and referred to the Committee on Redistricting and Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 358a, 635, 649, and 707 (MCL 168.358a, 168.635, 168.649, and 168.707), section 358a as amended by 1990 PA 235 and section 707 as amended by 1994 PA 152; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 358a. ~~The~~ EXCEPT AS PROVIDED IN SECTIONS 831 TO 836,  
 2 A SPECIAL ELECTION CALLED BY THE township board of a township  
 3 ~~may call a special election to be held in the township~~ for the  
 4 ~~purpose of submitting any~~ SUBMISSION OF A BALLOT QUESTION,  
 5 PUBLIC QUESTION, OR OTHER proposition ~~or propositions~~ to the  
 6 electors of the township SHALL BE HELD ON THE SAME DATE AS A  
 7 REGULARLY SCHEDULED PRIMARY ELECTION OR GENERAL ELECTION. A  
 8 special election HELD UNDER SECTIONS 831 TO 836 shall not be held

1 within 30 days ~~before or~~ after a ~~regular township or state~~  
2 primary ELECTION or general election. Notice of the special  
3 election shall be given in the same manner now required of  
4 ~~regular elections~~ A REGULARLY SCHEDULED ELECTION held under  
5 this act.

6 Sec. 635. ~~It shall be lawful to call~~ EXCEPT AS PROVIDED  
7 IN SECTIONS 831 TO 836, a special election for the submission of  
8 ~~any~~ A BALLOT QUESTION, PUBLIC QUESTION, OR OTHER proposition  
9 ~~on any regular or special primary day~~ SHALL BE HELD ON THE SAME  
10 DATE AS A REGULARLY SCHEDULED PRIMARY ELECTION OR GENERAL  
11 ELECTION.

12 Sec. 649. (1) ~~Whenever~~ IF a proposed constitutional  
13 amendment or other special question is to be submitted to the  
14 electors of the state for popular vote, the secretary of state  
15 shall, not less than 49 days before THE election, certify the  
16 ~~same~~ PROPOSED CONSTITUTIONAL AMENDMENT OR OTHER SPECIAL  
17 QUESTION to the clerk of each county in the state ~~and shall at~~  
18 ~~the same time prescribe~~ IN the form in which ~~such~~ THE PROPOSED  
19 CONSTITUTIONAL amendment or other special question shall be  
20 submitted. ~~Any~~ EXCEPT AS PROVIDED IN SECTIONS 831 TO 836, A  
21 PROPOSED CONSTITUTIONAL AMENDMENT OR OTHER SPECIAL QUESTION SHALL  
22 BE PLACED ON THE BALLOT AT THE NEXT GENERAL ELECTION.

23 (2) EXCEPT AS PROVIDED IN SECTIONS 831 TO 836, A city ordi-  
24 nance ~~which has been or is hereafter~~ adopted by the ~~common~~  
25 ~~council in~~ LEGISLATIVE BODY OF a city WITH A POPULATION of over  
26 500,000 and ~~which~~ THAT is subject to referendum shall be  
27 submitted to the people of that city at the next general

1 election. ~~unless submitted to a special election by action of~~  
2 ~~the common council.~~

3       Sec. 707. (1) If a proposed constitutional amendment or  
4 other proposition is to be submitted to the electors of this  
5 state for popular vote, the secretary of state, not less than 49  
6 days before the date of the election at which the proposed con-  
7 stitutional amendment or other proposition is to be submitted,  
8 shall certify to the various county clerks the form of ballots to  
9 be prepared in connection with the proposal. The ballot shall  
10 contain a statement of the proposed constitutional amendment or  
11 other proposition in 100 words or less, exclusive of caption, as  
12 provided in section 2 of article XII of the state constitution of  
13 1963. The ballot shall be a single ballot separate and distinct  
14 from the ballots containing the names of candidates or nominees  
15 for public office. The ballot shall contain a suitable caption,  
16 under which shall be printed the words "yes ( )" and "no ( )" in  
17 separate lines. Each board of county election commissioners  
18 shall print the ballots for use in their respective counties.

19       (2) A city ordinance that ~~has been~~ WAS or is hereafter  
20 adopted by the legislative body of a city with a population of  
21 more than 500,000 and that is subject to referendum shall be sub-  
22 mitted to the people of that city at the next REGULARLY SCHEDULED  
23 PRIMARY ELECTION OR general election. ~~unless submitted to a spe-~~  
24 ~~cial election by action of the legislative body.~~

25       Enacting section 1. Section 640 of the Michigan election  
26 law, 1954 PA 116, MCL 168.640, is repealed.