

# SENATE BILL No. 877

December 3, 2003, Introduced by Senator HAMMERSTROM and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 641 (MCL 168.641); and to repeal acts and parts of acts.

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

1       Sec. 641.   (1) ~~An election which shall be known and~~  
 2 ~~designated as the "general November election" shall be held in~~  
 3 ~~this state on the Tuesday succeeding the first Monday of November~~  
 4 ~~in every even numbered year. Except as otherwise provided in~~  
 5 this section and sections 642 and 642a, beginning January 1,  
 6 2005, an election held under this act shall be held on 1 of the  
 7 following regular election dates:

8           (a) The February regular election date, which is the fourth  
 9 Tuesday in February.

10          (b) The May regular election date, which is the first Tuesday

1 after the first Monday in May.

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

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

6 (2) If an elective office is listed by name in section 643,  
7 requiring the election for that office to be held at the general  
8 election, and if candidates for the office are nominated at a  
9 primary election, the primary election shall be held on the  
10 August regular election date.

11 (3) Except as otherwise provided in this subsection and  
12 subsection (4), a special election shall be held on a regular  
13 election date. A special election called by the governor under  
14 section 145, 178, 370, 632, 633, or 634 to fill a vacancy or  
15 called by the legislature to submit a proposed constitutional  
16 amendment as authorized in section 1 of article XII of the state  
17 constitution of 1963 may, but is not required to be, held on a  
18 regular election date.

19 (4) Before a school district may call a special election to  
20 submit a ballot question to borrow money, increase a millage, or  
21 establish a bond, the school district shall submit the ballot  
22 question on a regular election date. If the ballot question  
23 submitted at a regular election date is not successful, a school  
24 district may call a special election to resubmit a ballot  
25 question 1 time in the same calendar year if an initiative  
26 petition is filed with the county clerk. The petition shall be  
27 signed by a number of qualified and registered electors of the

1 district equal to not less than 10% of the electors voting in the  
2 last gubernatorial election in that district or 3,000 signatures,  
3 whichever number is lesser. Section 488 applies to a petition to  
4 call a special election for a school district under this  
5 section. The petition shall be filed with the county clerk by 4  
6 p.m. of the tenth Tuesday before the proposed date of the special  
7 election. The petition signatures shall be obtained within 60  
8 days before the filing of the petition. Any signatures obtained  
9 more than 60 days before the filing of the petition are not  
10 valid. If the special election called by the school district is  
11 not scheduled to be held on a regular election date as provided  
12 in subsection (1), the special election shall be held on a  
13 Tuesday. A special election called by a school district under  
14 this subsection shall not be held within 35 days before or after  
15 a regular election date as provided in subsection (1). A school  
16 district may only call 1 special election in each calendar year.

17 (5) The secretary of state shall make a report to the house  
18 and senate committees that consider election issues by December  
19 1, 2006. The secretary of state shall report about the special  
20 elections held under this subsection all of the following:

21 (a) The number of times a special election has been held.

22 (b) Which school districts have held special elections.

23 (c) Information about the success rate of the ballot question  
24 submitted at the special elections.

25 (d) Information about voter turnout, including the percentage  
26 and number of registered voters who voted in each special  
27 election.

1           **(6) The secretary of state shall direct and supervise the**  
2 **consolidation of all elections held under this act.**

3           Enacting section 1. This amendatory act takes effect  
4 January 1, 2005.

5           Enacting section 2. This amendatory act does not take  
6 effect unless all of the following bills of the 92nd Legislature  
7 are enacted into law:

- 8           (a) House Bill No. 4820.  
9           (b) House Bill No. 4822.  
10          (c) House Bill No. 4823.  
11          (d) House Bill No. 4824.  
12          (e) House Bill No. 4825.  
13          (f) House Bill No. 4826.  
14          (g) House Bill No. 4827.  
15          (h) House Bill No. 4828.  
16          (i) House Bill No. 4943.