

# CONSOLIDATED ELECTIONS

**Effective date - January 1, 2005**  
(This is an analysis, not a legal interpretation)

## 1. CONSOLIDATED ELECTION BILLS

- A) Principal bill - enrolled HB 4824 - PA 302 of 2003 IE
- B) Bill to provide four regular election dates – enrolled SB 877 - PA 298 of 2003 IE
- C) Changes to school code - enrolled HB 4820 - PA 299 of 2003 IE
- D) Community college – enrolled HB 4828 - PA 306 of 2003 IE
- E) Other bills in the election consolidation package address:
  - i) Home rule city (HB 4825) - PA 303 of 2003 IE
  - ii) Villages – (HB 4827) - PA 305 of 2003 IE
  - iii) Home rule village (HB 4826) - PA 304 of 2003 IE
  - iv) Charter township (4822) - PA 300 of 2003
  - v) Metropolitan Councils Act (4823) - PA 301 of 2003 IE

## 2. REPEALED SECTIONS OF SCHOOL CODE

Under the consolidated elections laws many of the election laws contained in the school code are repealed to provide for all school elections to be administered and conducted under the Revised Michigan Election Law

Those sections repealed in the school code include provisions regarding:

- A) Notification of election
- B) Voter challenges
- C) Ballot application
- D) Casting of ballots
- E) Duties of an individual board of school canvassers
- F) Recounts
- G) Special election
- H) Determination of voter qualification
- I) Use of local unit registration records
- J) Payment of expenses
- K) Voter registration deadlines
- L) School board-appointed election inspectors
- M) Nominating petitions
- N) Candidate withdrawal
- O) Notification of election results
- P) Acceptance of office by a person elected to a school board
- Q) Board vacancies

### 3. ONLY FOUR DAYS A YEAR FOR REGULAR ELECTIONS

(see: #5 below: Special Elections)

Fourth Tuesday in February  
First Tuesday after first Monday in May  
First Tuesday after first Monday in August  
First Tuesday after first Monday in November

### 4. SCHOOL BOARD ELECTIONS

- A) The default day for school board elections is the odd-year at the general election (November)
- B) If a school district does not want its school board elections to be held on odd-years at the general election, the board may adopt a resolution to hold the school board election on:
- The odd-year in May on regular election date
  - The odd- and even year in may on regular election date
  - November general election on both odd and even years.

<p style="text-align: center;"><b>The resolution must be adopted before January 1, 2005</b></p>
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- C) After January 1, 2005, and in any year, a school board that elected to move the school election to a day other than the default day may adopt a resolution to go back to the default date of November of the odd years. That resolution must be adopted before January 1<sup>st</sup> of the year before going to the November date. Note: this is the last time a board may make a change in the school election date. A proposed provision to allow a change once every 10 years was removed from the enacted language.
- D) School board elections are governed by the election law.
- E) School district elections are conducted by a **school district election coordinator** (this is not a school board member nor employee). (see: #6 below)
- F) A school district election coordinating committee establishes certain conditions for school elections (see #6 below).

### 5. SCHOOL BOARD TERMS

In a school which has elected to stay with the default date of November of the odd years, board members are elected as follows:

- A) If a board member's term ends June 30, 2005, that board member continues in office until December 31, 2005
- B) A board member is elected (or reelected) in November 2005
- C) The new board member takes office in January of 2006

D) In 2006, as another board member(s)'s term ends, that board member's term would be extended through December of 2007. (elections only in odd numbered years) A new board member would be elected in November of 2007 and take office January of 2008.

## 6. SPECIAL ELECTIONS FOR SCHOOLS

A) A special election may be called to submit a ballot question through a petition process to:

- i) Borrow money
- ii) Increase a millage (includes Headlee override, etc.)
- iii) Establish a bond

**Note:** The provision that a ballot issue must first be submitted at a regular election was removed from HB 877 so that requirement does not exist.

B) **An initiative petition** must be filed with the county clerk.

- i) Petition must be signed by 3,000 qualified and registered electors of the district: or
- ii) At least 10% of electors in that district voting in the last gubernatorial election, whichever is less.
- iii) Petitions must be obtained within a 60 day window before the petitions are filed.

C) A special election:

- i) Must be held on a **Tuesday**,
- ii) Cannot be held within 30 days before or 35 days after a regular election date.
- iii) Only one can be held in a calendar year.

## 7. SCHOOL DISTRICT ELECTION COORDINATOR

May be either:

City or township clerk, if school district is entirely in the city or in the township

Or:

If the district is in more than one city and/or township, then the county clerk in which the largest number of registered school district electors reside,

A) Duties of the School District Coordinator (or agent):

- i) Serve as the filing official (receive nominating petitions and requests to hold special elections)
- ii) Procure the necessary qualified voter file precinct lists
- iii) Certify candidates
- iv) Receive ballot proposal language
- v) Issue absentee ballots
- vi) Schedule special elections

B) In Macomb county

The Macomb county clerk will be the election coordinator for all school districts except for six districts: Clintondale, Fitzgerald, lake shore, Lakeview, Warren Woods, Roseville

**8. SCHOOL DISTRICT ELECTION COORDINATING COMMITTEE**

A) Duties of the School District Election Coordinating committee:

- i) Meet for initial meeting in January of 2005  
(within 30 days of effective date of legislation)
- ii) Report to the Secretary of State within 14 days, all agreed upon arrangements to conduct school elections
- iii) All members of the committee. must sign all agreements
- iv) The committee is bound by agreement for two years.

B) Membership of the School District Election Coordinating committee:

- i) For a district totally located in one city or township
  - City or township election commission
  - School district coordinator
  - Secretary of school board
- ii) For a school district in more than one township and/or city
  - Clerk of each city and township
  - School district coordinator
  - Secretary of school board

**9. CONSOLIDATED ELECTIONS PRECINCTS**

A) Precincts may be consolidated for certain elections

B) Precincts may not be consolidated for general or primary elections immediately before a general November election, or any statewide election

C) Consolidation is determined by the election commissioners of a county, city, ward, township, or village.

D) Precinct consolidation criteria:

- i) Number of choices a voter would have to make

- ii) The percentage of registered voters who voted at the last similar election in the jurisdiction
  - iii) The intensity of elector interest concerning the candidates and/or proposals to be voted upon.
- E) If a decision is made to consolidate:
- i) Registered electors must be notified of the consolidation of precincts for the particular election
  - ii) Notify the registered electors of the location of the polling place
  - iii) Post written notice at each election precinct polling place stating the location for particular election
  - iv) Notice is not required if two precincts are at the same location
  - v) Decision to consolidate precincts must be made at least 60 days prior to an election
  - vi) Precincts consolidated for a particular election would still be treated as distinct precincts.

## **10. SCHOOL ELECTION COSTS**

- A) School district pays for regular or special election
- B) The school districts pays 100% of additional costs if the election is held in conjunction with another election,
- C) The school district pays 100% of costs if the election is not held with another election.
- D) The Secretary of State determines settles any disagreements over election costs.