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BILL ANALYSIS

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House Bill 5704 (as passed by the House)
Sponsor: Representative Edward Gaffney, Jr.
House Committee: House Oversight, Elections, and Ethics
Senate Committee: Government Operations

Date Completed: 11-28-06

CONTENT

The bill would amend the Michigan Election Law to revise the deadlines for the adoption of a resolution to submit a ballot question to school electors, and for certification of the ballot wording.

The Law allows a school board to submit a ballot question to the school electors on a regular election date, on a date when a city or township within the school district's jurisdiction is holding an election by adopting a resolution to that effect not later than the time permitted for certification of ballot wording (described below), or on a special election date as provided in the Law. Under the bill, a resolution would have to be adopted not less than 70 days before the election date.

The Law requires the school board to certify the ballot question language to the school district election coordinator not later than the time permitted for certification of ballot wording. The bill would require the language to be certified to the school district election coordinator at least 70 days before the election date.

The Law requires the school district election coordinator to send a copy of the ballot question language to the county clerk at least 68 days before the election, if the ballot question is submitted on the same date as an election for a State or county office. Under the bill, a copy would have to be sent at least 68 days before the election in every case.

Under the Law, if a local, school district, or county ballot question is to be voted on at a regular election date or special election, the ballot wording must be certified to the local or county clerk at least 70 days before the election. If the wording is certified to a clerk other than the county clerk, the other clerk must certify the ballot wording to the county clerk at least 68 days before the election. The bill would retain these requirements.

If a local, school district, or county ballot question is to be voted on at a regular election date or special election date at which no State or Federal offices are to be voted for, the ballot wording must be certified to the local or county clerk responsible for printing the ballots at least 60 days before the election date. The bill would delete this requirement.

The bill would take effect on January 1, 2007.

MCL 168.312 & 168.646a

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have no fiscal impact on the State.

The bill could result in indeterminate cost savings to local units of government by making uniform the number of days (70 days) before any election that ballot language must be filed. This would improve local clerks' ability to estimate voter turnout and thus, better use their resources.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.