

SENATE BILL No. 586

June 13, 2007, Introduced by Senator GLEASON and referred to the Committee on Campaign and Election Oversight.

A bill to amend 1966 PA 261, entitled

"An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,"

by amending sections 11 and 12 (MCL 46.411 and 46.412), section 11 as amended by 2002 PA 158 and section 12 as amended by 1982 PA 504.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11. A candidate for the office of county commissioner
 2 shall be a resident and registered voter of the district that he or
 3 she seeks to represent and shall remain a resident and registered
 4 voter to hold his or her office, if elected. Nominations and
 5 elections for commissioners shall be by partisan elections. ~~In~~
 6 ~~order for~~ **FOR** the name of a candidate for nomination for the office

1 of county commissioner to appear on the official primary ballot, a
2 nominating petition or \$100.00 filing fee shall be filed with the
3 county clerk. The nominating petition shall have been signed by a
4 number of qualified and registered electors residing within the
5 district as determined under section 544f of the Michigan election
6 law, 1954 PA 116, MCL 168.544f. The deadline for filing nomination
7 petitions or filing fees is the same as for a candidate for state
8 representative. A person who has been convicted of a ~~violation of~~
9 ~~section 12a(1) of 1941 PA 370, MCL 38.412a,~~ **FELONY UNDER THE LAWS**
10 **OF THIS STATE OR AN OFFENSE UNDER THE LAW OF ANOTHER STATE OR THE**
11 **UNITED STATES SUBSTANTIALLY CORRESPONDING TO A FELONY IN THIS STATE**
12 is not eligible to be a **CANDIDATE FOR OR TO HOLD THE OFFICE OF**
13 county commissioner. ~~for 20 years after the conviction.~~

14 Sec. 12. When a vacancy occurs in the office of commissioner
15 by death, resignation, removal from the district, ~~or~~ removal from
16 office, **OR UPON A COMMISSIONER'S CONVICTION OF A FELONY UNDER THE**
17 **LAWS OF THIS STATE OR AN OFFENSE UNDER THE LAW OF ANOTHER STATE OR**
18 **THE UNITED STATES SUBSTANTIALLY CORRESPONDING TO A FELONY IN THIS**
19 **STATE,** the vacancy shall be filled by appointment within 30 days by
20 the county board of commissioners of a resident and registered
21 voter of that district. A person who has been convicted of a
22 ~~violation of section 12a(1) of Act No. 370 of the Public Acts of~~
23 ~~1941, being section 38.412a of the Michigan Compiled Laws, shall~~
24 **FELONY UNDER THE LAWS OF THIS STATE OR AN OFFENSE UNDER THE LAW OF**
25 **ANOTHER STATE OR THE UNITED STATES SUBSTANTIALLY CORRESPONDING TO A**
26 **FELONY IN THIS STATE IS** not be eligible for appointment to the
27 office of county commissioner. ~~for a period of 20 years after~~

1 ~~conviction.~~ The person appointed to fill a vacancy ~~which occurred~~
2 **THAT OCCURS** in an odd numbered year shall serve until the vacancy
3 is filled in a special election. That special election shall be
4 called by the county board of commissioners. The person appointed
5 to fill a vacancy ~~which~~ **THAT** occurs in ~~a year which is an election~~
6 year for the office of county commissioner shall serve for the
7 remainder of the unexpired term. If the county board of
8 commissioners does not fill the vacancy by appointment within 30
9 days, that vacancy shall be filled by a special election regardless
10 of whether the year is an election year or an odd year.

11 Enacting section 1. This amendatory act does not take effect
12 unless Senate Bill No. 520 of the 94th Legislature is enacted into
13 law.