



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bills 1094 and 1095 (as enacted)
Sponsor: Senator Cameron S. Brown (S.B. 1094)
Senator Michelle A. McManus (S.B. 1095)
Senate Committee: Campaign and Election Oversight
House Committee: Ethics and Elections

PUBLIC ACTS 43 & 44 of 2010

Date Completed: 3-28-11

CONTENT

The bills amended the Michigan Election Law to revise the deadline for the delivery of ballots to township and city clerks, and to establish filing and certification deadlines for certain candidates in the odd-year election.

Senate Bill 1095

Under the Michigan Election Law, as a rule, an officer required to be elected at the odd-year general election must be nominated at the odd-year primary election.

The bills took effect on March 31, 2010.

Senate Bill 1094

Under the Law, each county clerk must deliver absent voter ballots for each precinct to the clerk of each township and city in the county. Previously, the delivery had to be at the earliest possible time and at least 45 days before the general November election and the preceding August primary, and at least 20 days before any other election or primary election in the county. The bill, instead, requires absent voter ballots to be delivered at least 45 days before a regular election or special election. The bill deleted the 20-day deadline for other elections.

Previously, if a local charter provided for nomination by caucus or by filing a petition or affidavit directly for the general election, or provided for the election at the primary of a candidate who received more than 50% of the votes cast for that office, the local governing body could provide by ordinance for a caucus date, filing date, or other provisions to the extent necessary to be consistent with the odd-year general election requirement and the intent of the charter. The bill deleted this provision.

In addition, under the Law, each county clerk must deliver ballots, other than absent voter ballots, and election supplies to the clerk of each township and city in the county at least 10 days before any election or primary election.

Under the bill, if a charter provides for nomination by caucus or by filing a petition or affidavit directly for the general election, the candidate filing deadline or certification deadline is 4 p.m. on the 12th Tuesday before the odd-year general election. If a charter provides for the election at the primary of a candidate who receives more than 50% of the votes cast for that office, the candidate filing deadline or certification deadline is 4 p.m. on the 12th Tuesday before the primary.

The bill requires each city, township, and village clerk to adhere to the deadlines described above for elections in which the county does not print the ballots.

MCL 168.714 (S.B. 1094)
168.644e (S.B. 1095)

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bills will have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

S0910\s1094es.

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.