

HOUSE BILL NO. 5010

September 24, 2019, Introduced by Reps. Marino, Hornberger, Paquette and Yaroch and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 362 (MCL 168.362), as amended by 1980 PA 112.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 362. (1) ~~The term of office of township trustees elected~~
2 ~~in 1978 shall be 2 years.~~ The term of office of all township
3 officers listed in section 358 ~~shall be~~ **is** 4 years ~~beginning in the~~
4 ~~1980 general election, and in all subsequent elections at which~~
5 township officials are elected. All township officers' terms ~~shall~~



1 commence at 12 noon on November 20 next following their election
 2 and they ~~shall~~**must** qualify before assuming the duties of their
 3 office. Each township officer ~~shall hold~~**holds** office until a
 4 successor is elected and qualified, but not beyond January 1
 5 following the election. Failure of an elected township official to
 6 qualify by January 1 following the official's election ~~shall create~~
 7 **creates** a vacancy ~~which shall~~**that must** be filled as provided in
 8 section 370 **or 370a, as applicable**. All elective township officers
 9 ~~, other than those listed in section 358,~~ ~~shall~~**must** be elected at
 10 the November election immediately preceding the expiration of their
 11 term and ~~shall~~**must** commence the duties of their office on November
 12 20 but not before they qualify following their election.

13 (2) A township officer elected in the general election shall
 14 remain in office for the full term if the officer failed to take
 15 the oath of office within the time prescribed by law and was
 16 subsequently appointed by the township board to the office for
 17 which the officer ran, **but the officer must take the oath of office**
 18 **before executing any of the duties of that office.**

19 Enacting section 1. This amendatory act takes effect January
 20 2, 2021.

21 Enacting section 2. This amendatory act does not take effect
 22 unless all of the following bills of the 100th Legislature are
 23 enacted into law:

24 (a) Senate Bill No. ____ or House Bill No. 5012 (request no.
 25 03220'19 *).

26 (b) Senate Bill No. ____ or House Bill No. 5011 (request no.
 27 03220'19 a *).

28 (c) Senate Bill No. ____ or House Bill No. 5013 (request no.
 29 03946'19).



1 (d) Senate Bill No. ____ or House Bill No. 5018 (request no.
2 03947'19).

