

Legislative Analysis



COUNTY COMMISSIONER FOUR-YEAR TERMS OF OFFICE

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 242 as passed by the Senate
Sponsor: Sen. Ed McBroom

Analysis available at
<http://www.legislature.mi.gov>

Senate Bill 245 as passed by the Senate
Sponsor: Sen. Jeremy Moss

House Committee: Local Government and Municipal Finance
Senate Committee: Local Government
Complete to 10-26-21

SUMMARY:

Senate Bills 242 and 245 would amend two acts concerning county governance to provide for four-year terms of office for county commissioners beginning with those elected in 2024. Currently, the term of office is two years.

Senate Bill 242 would amend 1966 PA 261, which prescribes the manner of election for county boards of commissioners. Currently, commissioners are elected in even-numbered years to two-year terms of office. Under the bill, for all commissioners elected at or after the 2024 general election, terms would be four years.

Additionally, if a vacancy occurred more than seven days before a nominating petition was due for the even-year “midterm” election of that term (for example, the 2026 election, as no commissioners would otherwise be elected in that election cycle), a new commissioner would be elected in that year’s general election and the person appointed to fill that vacancy would serve only until that successor was elected. If the vacancy occurred after that time, the appointee would serve out the remainder of the term (in this example, until 2028).

Finally, the bill would remove a provision that makes individuals who were convicted of providing or possessing test answers for a county civil service examination ineligible to serve as county commissioner for a period of 20 years. This provision was added following a 1982 investigation of allegations to that effect in Wayne County.

MCL 46.410 and 46.412

Senate Bill 245 would add a provision to 1966 PA 293, the charter counties act, to make county commissioners’ terms under that act subject to the provisions described above beginning January 1, 2025.

MCL 45.514

The bills are tie-barred to one another, which means that neither could take effect unless both were enacted.

BACKGROUND:

The bills are reintroductions of House Bills 4937 and 4938 of the 2019-20 legislative session as those bills were referred from the House Elections and Ethics committee to the House Ways and Means committee.¹

FISCAL IMPACT:

The bills would not have a significant fiscal impact on the state or local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

¹ HFA summary of HBs 4937 and 4938 of 2019-20 as referred to second committee:
<http://www.legislature.mi.gov/documents/2019-2020/billanalysis/House/pdf/2019-HLA-4937-37AE790F.pdf>