

SENATE BILL NO. 242

March 11, 2021, Introduced by Senator MCBROOM and referred to the Committee on Local Government.

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 10 and 12 (MCL 46.410 and 46.412), section 12 as amended by 2013 PA 84.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. **(1)** The term **of office** of each commissioner **elected**
2 **before the 2024 general November election** shall be concurrent with

1 that of state representatives as specified in ~~article 4,~~ section 3
 2 of article IV of the state constitution of 1963.

3 (2) The term of office of each commissioner elected at or
 4 after the 2024 general November election is 4 years. The term of
 5 office begins on January 1 following the election and continues
 6 until a successor is elected and qualified.

7 Sec. 12. (1) ~~When~~**If** a vacancy occurs in the office of
 8 commissioner by death, resignation, removal from the district, or
 9 removal from office, the vacancy ~~shall~~**must** be filled by
 10 appointment within 30 days by the county board of commissioners of
 11 a resident and registered voter of that district. ~~A person who has~~
 12 ~~been convicted of a violation of section 12a(1) of 1941 PA 370, MCL~~
 13 ~~38.412a, shall not be eligible for appointment to the office of~~
 14 ~~county commissioner for a period of 20 years after conviction.~~
 15 ~~Subject to~~**Except as otherwise provided in** subsection (2), the
 16 ~~person~~**individual** appointed to fill a vacancy shall serve for the
 17 remainder of the unexpired term.

18 (2) ~~A special election scheduled for August 6, 2013 by a~~
 19 ~~county board of commissioners to fill a vacancy in the office of~~
 20 ~~commissioner that occurred in 2013 before the effective date of the~~
 21 ~~amendatory act that added this subsection shall be held, and the~~
 22 ~~person elected at the special election held on August 6, 2013 to~~
 23 ~~fill the vacancy in the office of commissioner shall serve for the~~
 24 ~~remainder of the unexpired term.~~**If the vacancy occurs more than 7**
 25 **days before the nominating petition deadline as provided in section**
 26 **11 for the general November election that is not the general**
 27 **November election at which a successor in office would be elected**
 28 **if there were no vacancy, the individual appointed shall hold**
 29 **office only until a successor is elected at the next general**

1 November election in the manner provided by law and qualifies for
2 office. The successor shall hold the office for the remainder of
3 the unexpired term.

4 Enacting section 1. This amendatory act does not take effect
5 unless Senate Bill No. 245 of the 101st Legislature is enacted into
6 law.