

**** The MML is lobbying for changes to the new Elections Consolidation Act: we will update the elections chapter when the changes are made ****

Election Consolidation Act: What you need to know

Frequently Asked Questions

- **What are the new election dates for cities and villages?**

The statutory election dates for cities are the November general election – odd year, with August primary election. For villages, the statute calls for a November general election – with no primary. The village elections will be run by the township.

However, the statute provides for alternative election dates in some circumstances. A chart is listed below to help determine city and village options.

- **What are the new regularly scheduled election dates?**

The new regularly scheduled election dates are the fourth Tuesday in February, the first Tuesday after the first Monday in May, the first Tuesday after the first Monday in August, and the first Tuesday after the first Monday in November.

- **When do the new laws go into effect?**

The laws, Public Acts 298-306 of 2004, go into effect January 1, 2005. Appropriate actions required to comply with the new laws must be completed by December 31, 2004.

- **Does our city/village need to change our election dates?**

That depends on when your elections are currently held. The following chart outlines election date options for cities and villages.

City Election Options		
Current Election	Option(s)	Action Required
November general election - odd year, with August primary election. <i>This is the statutory election date.</i>	Maintain current date	No action necessary
November general election - annually	1. Maintain current date -or- 2. Change to November general election - odd year, with August primary election	1. No action necessary -or- 2. Pass a resolution to change date
September primary election, odd year, even year, or both.	1. Maintain current date -or- 2. Change to August primary election, odd year.	1. Pass a resolution to maintain September primary -or- 2. No action necessary
Anything other than election dates listed	1. Change to a May general election, odd year or even year, or both, with a February primary. -or- 2. Change to the November general election - odd year, with August primary.	1. Pass a resolution to change date -or- 2. No action necessary

Village Election Options – all Village elections will now be non partisan.	
Options	Actions Required
September general election - odd year, to be conducted by the village	Pass resolution to change date
November general election - even year, to be conducted by the township	No action required

- **Is there a process we have to follow to change our election dates?**

If your city or village must pass a resolution as determined from the above chart, then there is a process required to pass that resolution that may differ from your normal resolution process. A public hearing must be held on the resolution; proper notice must be given on the public hearing; specific language for the notice must be included (it is outlined in MCL 168.642; the council or board must vote immediately on the resolution after the close of the hearing; the vote must pass by a majority of the council/board members on a record roll call vote; and the resolution must be filed with the Secretary of State.

- **Can our city/village ever change to another date?**

A city that passes a resolution by December 31, 2004 to hold its regular election on the May date may later change that date to the November general election - odd year date by following the same process as outlined above. A city that passes a resolution by December 31, 2004 to continue holding its primary election on the September primary date may change its primary election date to the August odd year election date by following the process outlined above. See MCL 168.642a.

Villages do not have the opportunity to change their election dates after the initial selection.

- **How will the election date change affect the terms of our elected officials?**

As outlined in MCL 168.644g, if the election date has been changed under these acts, the elected officials who were elected

before the date of the statute change continue to serve in that office until a successor is elected at the next regularly scheduled election.

- **Is our city responsible for conducting school elections?**

Maybe. A city is only required to conduct a school election if the district falls entirely within the city, or the city is conducting an election on the same day. Otherwise, the city's role in the election will be based on any agreements that are made with the other jurisdictions involved. School officials will no longer be responsible for conducting school elections. As outlined in MCL 168.301, the school district election coordinator shall conduct each regular election and each special election that is requested by the school board to submit a ballot question or to fill a vacancy on the school board. The school district election coordinator is either the city clerk, the township clerk, or the county clerk. A school district election coordination committee must be established in each school district and each committee determines how the school elections will be conducted.

Villages do not have legal authority to conduct elections other than their own elections, and therefore do not have this responsibility.

- **What if our city is only part of a school district that expands beyond our boundaries?**

In instances where the school district is located wholly within the city or township, the city or township clerk is the school district election coordinator. In instances where the school district crosses multiple jurisdictions, the county clerk is the school district election coordinator. However, a school district election coordination committee must be established in each school district, and in instances where the coordinator is the county clerk, the city or township clerk can agree with the county clerk to participate in the conducting of the school district elections.

- **Will the increased costs be reimbursed to the city?**

Yes. As outlined in MCL 168.315, school districts are responsible for reimbursing the local unit that conducts their elections.

- **When can our city/village hold special elections?**

Municipal special elections must be held on the next regularly scheduled election date, but not at an election less than a certain number of days in varying circumstances. Further information for cities can be found in MCL 117.3. For home rule villages, information can be found in MCL 78.4. For general law villages, information can be found in MCL 63.2.

About the author . . .

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