

Legislative Analysis



ISDS: ELECTION OF BOARD MEMBERS BY VOTING DISTRICT

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House Bill 5628
Sponsor: Rep. Fran Amos
Committee: Education

Complete to 3-10-04

A SUMMARY OF HOUSE BILL 5628 AS INTRODUCED 3-10-04

House Bill 5628 would amend the Michigan Election Law to require that members of popularly elected intermediate school districts be elected from the voting districts where they reside, and to require that those who sign nominating petitions for candidates reside in the voting district the candidate is seeking to represent. An individual appointed to fill a vacancy would also have to be a resident of the voting district he or she was appointed to represent.

The bill is tie-barred to House Bill 4338 (now in an H-2 substitute version), which would amend the Revised School Code to establish new provisions dealing with ISD boards whose members are elected by an ISD's constituent school districts.

The bill would amend sections of the Michigan Election Law added by Public Act 302 of 2003 and that take effect January 1, 2005. House Bill 5628 would provide that the sections would apply when House Bill 5628 took effect for those intermediate school districts that had a popularly elected school board. Otherwise, the sections would not take effect until the scheduled date, January 1, 2005.

The bill would specify that to be eligible to be elected to a popularly elected intermediate school board from a voting district established under proposed new sections of the Revised School Code, an individual would have to be a qualified and registered elector of the ISD and reside in the voting district in which the individual became a candidate. (This would also apply to a person appointed to fill a vacancy.)

Further, the bill would specify that, before an individual's name appeared on the official ballot as a candidate, the individual would have to file a nominating petition, and the electors signing the nominating petition would be required to be electors of the intermediate school district who resided in the voting district where the candidate was running. The number of signatures required on the petition would be based on the population of the voting district.

Finally, the bill specifies that the office of an elected school board member would become vacant immediately if the board member moved his or her residence from the voting district he or she represented.

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