



## CITY COUNCIL REPORT

Date April 12, 2010

TO: John Szerlag, City Manager

FROM: Tonni L. Bartholomew, City Clerk

SUBJECT: Recent enactment of State Election Law amendment impacting local candidate filing deadline references in the Troy City Charter

### Background:

- Governor Granholm recently signed two Senate Bills (SB1094 and SB1095) into law. The Senate Bills amend Michigan Election Law Sections 168.944e and 168.944f which address local candidate filing deadlines. The purpose of the amendments is to standardize city filing deadlines across the State.

Section 168.944e governs filing deadlines for charters that do not have a provision for odd year Primary Elections.

The Election Law amendment supersedes the Troy City Charter Section 7.9, Nominations, filing deadline reference. A notation of the new State Law amendment has been inserted into the City Charter as a reference.

The deadline for individuals to file a candidate nominating petition for odd year General Elections will be at 4:00 p.m. on the twelfth Tuesday before the odd year General Election. The last day to file candidate nominating petitions for Troy Mayor or City Council on the November 8, 2011 Regular Election ballot will be August 16, 2011.

- Revised Charter Section

### Section 7.9- Nominations:

The method of nomination of all City elective office candidates for election shall be by petition. Each petition may comprise one or more pages. The petition for each candidate must be signed by not less than sixty registered electors of the City.

Nomination petitions for candidates for elections are to be filed with the Clerk on or before 4 o'clock p.m. of the one hundredth (100th) day preceding the next election. (Superseded by Michigan Sate Law Act Number 44, Public Acts of 2010, MCL168.644e as follows:

*Sec. 644e. Except as provided in Section 642, an officer required to be elected at the odd year general election shall be nominated at the odd year primary election. If a charter provides for nomination by caucus or by filing a petition or affidavit directly for the general election, the candidate filing deadline or certification deadline shall be 4 p.m. on the twelfth Tuesday*

*before the odd year general election. If a charter provides for the election at the primary of a candidate who receives more than 50% of the votes cast for that office, the candidate filing deadline or certification deadline shall be 4 p.m. on the twelfth Tuesday before the primary.*

The Clerk shall, prior to every election, publish notice of the last day permitted for filing nomination petitions and of the number of persons to be elected to each office, at least one week and not more than three weeks before such day.

Financial Considerations:

- No perceived financial consideration is associated with this item.

Legal Considerations:

- No perceived legal consideration is associated with this item.

Policy Considerations:

- No perceived policy consideration is associated with this item.

Options:

- No action required.