



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GRETCHEN WHITMER
GOVERNOR

GARLIN GILCHRIST II
LT. GOVERNOR

August 30, 2021

VIA EMAIL

Michigan Association of County Clerks
ATTN: Marc Kleiman
120 N. Washington Square
Suite 110A
Lansing, MI 48933

RE: **Charter Amendments and Revisions**

Dear Mr. Kleiman,

I am writing to request your assistance in notifying municipalities across Michigan of our administration's policy and recommendations regarding charter amendments and revisions.

Under the Home Rule City Act (MCL 117.22) the Governor has the responsibility to review all proposed charter amendments and revisions before any such amendment or revision is presented to the electors. Separately, under Michigan Election Law (MCL 168.646a) municipalities must submit ballot language regarding a proposed charter amendment or revision to the local clerk for certification not later than 4 p.m. on the twelfth Tuesday before the election.

It is a priority of Governor Whitmer's administration to review and respond to proposals by or before this first election filing deadline. It has also been our practice to request the Department of Attorney General review all submissions to our office for compliance with state law. This review takes time and historically guidance has recommended materials be submitted 60 – 90 days prior to the filing deadline to ensure sufficient time to review.

Starting in 2022, our office **will not approve proposed charter amendments or revisions after 4 p.m. on the twelfth Tuesday before the election.** (We will approve changes that fix scrivener's errors for charter amendments and revisions already approved by the deadline.)

We therefore strongly recommend submission of all proposed charter amendments to our office at least **60 days prior** to the filing deadline and strongly recommend submission of all proposed charter revisions to our office at least **90 days prior** to the filing deadline. We are requesting your assistance in notifying municipalities across Michigan of this policy and request.



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Proposed amendments and revisions can be sent to our office via email at Gretchen.Whitmer@michigan.gov.

While we prefer email submission, we will also accept submissions sent via mail to:

Governor Gretchen Whitmer
ATTN: Legal Division
George W. Romney Building
111 S. Capitol Avenue
Lansing, MI 48933

Please note, the Department of Attorney General has an independent obligation to review proposed ballot language under the Home Rule City Act. The Department of Attorney General will continue using their historical process moving forward. For questions about the Department of Attorney General's process, please contact Assistant Attorney General George Elworth at (517) 335-7573 or ElworthG@michigan.gov.

Thank you for your hard work on behalf of Michiganders and for your continued partnership and commitment to improving the lives of residents. If you have questions on the Governor's process, please feel free to contact Kristina Gierhart, Executive Assistant for the Governor's Office of Legal Counsel, at GierhartK1@michigan.gov.

Sincerely,

Alicia Moon
Deputy Legal Counsel
Office of Governor Whitmer

c: Michigan Municipal League
Michigan Association of Municipal Clerks
Michigan Department of State, Bureau of Elections
Michigan Association of Municipal Attorneys
State Bar of Michigan, Government Law Section
Department of Attorney General, State Operations Division