



Legislation Text

File #: 10-1217, **Version:** 1

Resolution to Acknowledge Changes to Michigan Election Law that Govern City Council Candidate Filing Deadlines

In response to the federal legislation commonly referred to as the MOVE Act (military and overseas voter empowerment), the Michigan Legislature has made changes to Michigan Election Law that affect the current filing deadlines for City Council candidates in the odd-year primaries.

The MOVE Act requires that absentee ballots be made available to military and overseas voters, both in paper and electronic format, at least 45 days prior to all elections, including local municipal and school board elections. The 45-day requirement previously only applied to federal elections. As a result of these changes, the State of Michigan has amended its own laws to comply, making all previous local charter provisions for later filing deadlines obsolete. The current filing deadline under City Charter in Ann Arbor is less than 45 days prior to the August Primary (7th Monday prior to the August Primary, Section 13.8b).

The MOVE Act and accompanying State Law changes will affect the odd-year filing deadlines in Ann Arbor. The even-year elections were already following State deadlines due to the State and federal offices on that ballot and the previous requirements in place for absentee ballot delivery in federal elections. The filing deadline for City Council candidates beginning in 2011 will change from late June (7 weeks) to early May (12 weeks). The filing deadline in 2011 is Tuesday, May 10 at 4:00 p.m.

Staff recommends passage of this resolution simply as an acknowledgement of the change and as notice to the public of the change.

Prepared by: Jacqueline Beaudry, City Clerk

Approved by: Roger W. Fraser, City Administrator

Whereas, The federal MOVE Act (military and overseas voter empowerment), and amendments to Michigan Election Law require that absentee ballots be made available to military and overseas voters at least 45 days in advance of each election;

Whereas, The amendments to Michigan Election Law supersede current City Charter provisions regarding filing deadlines for City Council candidates in the odd-year primaries;

Whereas, The new filing deadline under State law for both even and odd-year City primary elections will be on the 12th Tuesday prior to the August Primary; and

Whereas, City Council wishes to acknowledge this change and notify the public in advance of the May 10, 2011 City Council filing deadline;

RESOLVED, That City Council acknowledges that the previous filing deadline of the seventh Monday prior to the August Primary, as identified in Section 13.8b of the Ann Arbor City Charter, is superseded by State Law; and

RESOLVED, That City Council acknowledges that the 2011 filing deadline for City Council is Tuesday, May 10, 2011 at 4:00 p.m. as dictated by the State election calendar, and that all future City Council filing deadlines will be on the twelfth Tuesday prior to the August Primary each year.