

# When a vacancy occurs on the township board due to the death of a board member:



1. The clock starts ticking the day after the vacancy occurs (the day after the board member dies). The township board has **45 days** to appoint a person to fill the vacancy. (MCL 168.370(4))



2. The official's deputy (clerk or treasurer, optional for supervisor) **continues** as deputy until the new official is appointed. The deputy does not vote, and a deputy supervisor does not moderate a meeting. (MCLs 41.61 and 41.72a(3) (supervisor); 41.69 (clerk); and 41.77(5) (treasurer))



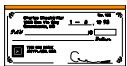
3. The only statutory requirement for holding township board elective office is that a candidate **must** be a **qualified elector** of the township and **registered to vote**. To be a qualified elector, a person must be 18 years of age, a U.S. citizen, and have lived in the township at least 30 days (property ownership is NOT required). (MCLs 168.11 and 168.342)



4. The person appointed to fill the vacancy **must** take the **oath** of office (should be taken within the 45 days to fill vacancy to qualify for office). (MCL 168.363)



5. A new clerk or treasurer **must** appoint a deputy. The supervisor **may** appoint a deputy. The deputies are also required to take the oath. (MCLs 41.69, 41.77(5), and 41.61)



6. The **salary of the office** continues. A person appointed to elective office during the term of office receives the currently established salary for that office. (MCL 41.95) This may require prorating the salary between the former and new officials according to payroll period.

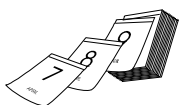


7. If the vacancy **occurs** more than 182 days from the next general November election, a person appointed to fill that vacancy must run in the next primary and general election to retain that office. The person elected serves for the remainder of the term. (MCL168.370a)



If the vacancy **occurs** 182 days or less before the next general November election, a person appointed to fill that vacancy is appointed for the remainder of the term. (MCL 168.370a)

*(All township board members' terms run four years, concurrent with the Presidential term of office.)*



8. If the township board fails to fill the vacancy within 45 days, the **county clerk must schedule a special election** on the next regular election date (of the four election days) that is: (1) at least 60 days after the deadline for submitting nominees, or (2) at least 70 days after the deadline for submitting nominees if the next regular election date is the even year August primary or the general November election. Township/county **political parties select nominees** (independent or write-in candidates can also qualify), so no primary election is held. The person elected serves for the remainder of the term. (MCL 168.370(4)--**NEW: PA 71 of 2005**)

# When a vacancy occurs on the township board due to the resignation of a board member:



1. To resign, a board member must submit his or her signed resignation **in writing** to the board. The board must vote (at a regular or special board meeting) to **accept** the resignation for the resignation to take effect. (MCL 41.56)

**a)** If the resigning official gives an effective date of resignation that comes **prior** to the board meeting where the board accepts the resignation, then the vacancy occurs on the **date of the board meeting**. The official would serve and be compensated up to that date.

**b)** If the resigning official gives an effective date that comes **after** the board meeting where the board accepts the resignation, then the vacancy occurs on the **effective date in the resignation letter**.

**c)** The board may appoint someone to fill the vacancy **up to 30 days prior** to the effective date of resignation. The new official may take the oath prior to taking office, but is not “clothed” with the authority of the office until the resignation takes effect.



2. The clock starts ticking the day after the vacancy occurs (the day after the resignation takes effect). The township board has **45 days** to appoint a person to fill the vacancy. (MCL 168.370(4))



3. The official's deputy **DOES NOT continue** as deputy. (MCLs 41.69, 41.77(5), and 41.61)



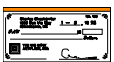
4. The only statutory requirement for holding township board elective office is that a candidate **must** be a **qualified elector** of the township and **registered to vote**. To be a qualified elector, a person must be 18 years of age, a U.S. citizen, and have lived in the township at least 30 days (property ownership is NOT required). (MCLs 168.11 and 168.342)



5. The person appointed to fill the vacancy **must** take the **oath** of office (should be taken within the 45 days to fill vacancy to qualify for office). (MCL 168.363)



6. A new clerk or treasurer **must** appoint a deputy. The supervisor **may** appoint a deputy. The deputies must also take the oath. (MCLs 41.69, 41.77(5), and 41.61)



7. The **salary of the office** continues. A person appointed to elective office during the term of office receives the currently established salary for that office. (MCL 41.95) This may require prorating the salary between the former and new officials according to payroll period.



8. If the vacancy **occurs** more than 182 days from the next general November election, a person appointed to fill that vacancy must run in the primary and general election to retain that office. The person elected serves for the remainder of the term. (MCL 168.370a)

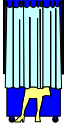


If the vacancy **occurs** 182 days or less before the next general November election, a person appointed to fill that vacancy is appointed for the remainder of the term. (MCL 168.370a)  
*(All township board members' terms run four years, concurrent with the Presidential term.)*



9. If the township board fails to fill the vacancy within 45 days, the **county clerk must schedule a special election** on the next regular election date (of the four election days) that is: (1) at least 60 days after the deadline for submitting nominees, or (2) at least 70 days after the deadline for submitting nominees if the next regular election date is the even year August primary or the general November election. Township/county **political parties select nominees** (independent or write-in candidates can also qualify), so no primary election is held. The person elected serves for the remainder of the term. (MCL 168.370(4)--**NEW: PA 71 of 2005**)

# When a vacancy occurs on the township board due to the recall of a board member:



1. The office is declared **vacant upon certification** of the recall election by the Board of Canvassers. (MCL 168.970)



2. The official's deputy (clerk or treasurer, optional for supervisor) **continues** as deputy until a new official is elected or a temporary official is appointed. The deputy does not vote, and a deputy supervisor does not moderate a meeting. (MCLs 41.61 and 41.72a(3) (supervisor); 41.69 (clerk); 41.77(5) (treasurer); and 168.970)



3. The township board **must** appoint a **temporary** official to serve until a new official is elected. If there is no longer a quorum of the board, the county election commission appoints enough **temporary** board members to provide a quorum. (MCL 168.370 and MCL 168.970)



4. A person appointed to temporarily fill a vacancy due to recall **must** take the **oath** of office. (MCL 168.363)



5. The county election scheduling committee **must** schedule a **special election** to fill the vacancy. (MCL 168.971)

6. Township/county **political parties select nominees**; independent or write-in candidates can also qualify. (MCLs 168.972 and 168.973)



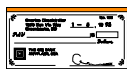
7. The only statutory requirement for holding township board elective office is that a candidate **must** be a **qualified elector** of the township and **registered to vote**. To be a qualified elector, a person must be 18 years of age, a U.S. citizen, and have lived in the township at least 30 days (property ownership is NOT required). (MCLs 168.11 and 168.342)



8. A special election is held on one of the four election days. The successful candidate takes office when the election is **certified and** he or she takes the **oath**. (MCL 168.970)



9. A new clerk or treasurer **must** appoint a deputy. The supervisor **may** appoint a deputy. The deputies must also take the oath. (MCLs 41.69, 41.77(5), and 41.61)



10. The **salary of the office** continues. A person elected to fill the vacancy of a recalled official during the term of office receives the currently established salary for that office. (MCL 41.95)

11. It does not matter when in the term a vacancy due to recall occurs. The person elected to fill the vacancy **serves out the remainder of the term**. (MCL 168.975)