

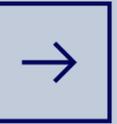
Municipal Charter Amendments

Insights from the
Michigan
Department of
Attorney General



2025 MAMA Municipal
Law Program & Annual
Meeting





Why Charters Matter

01

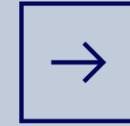
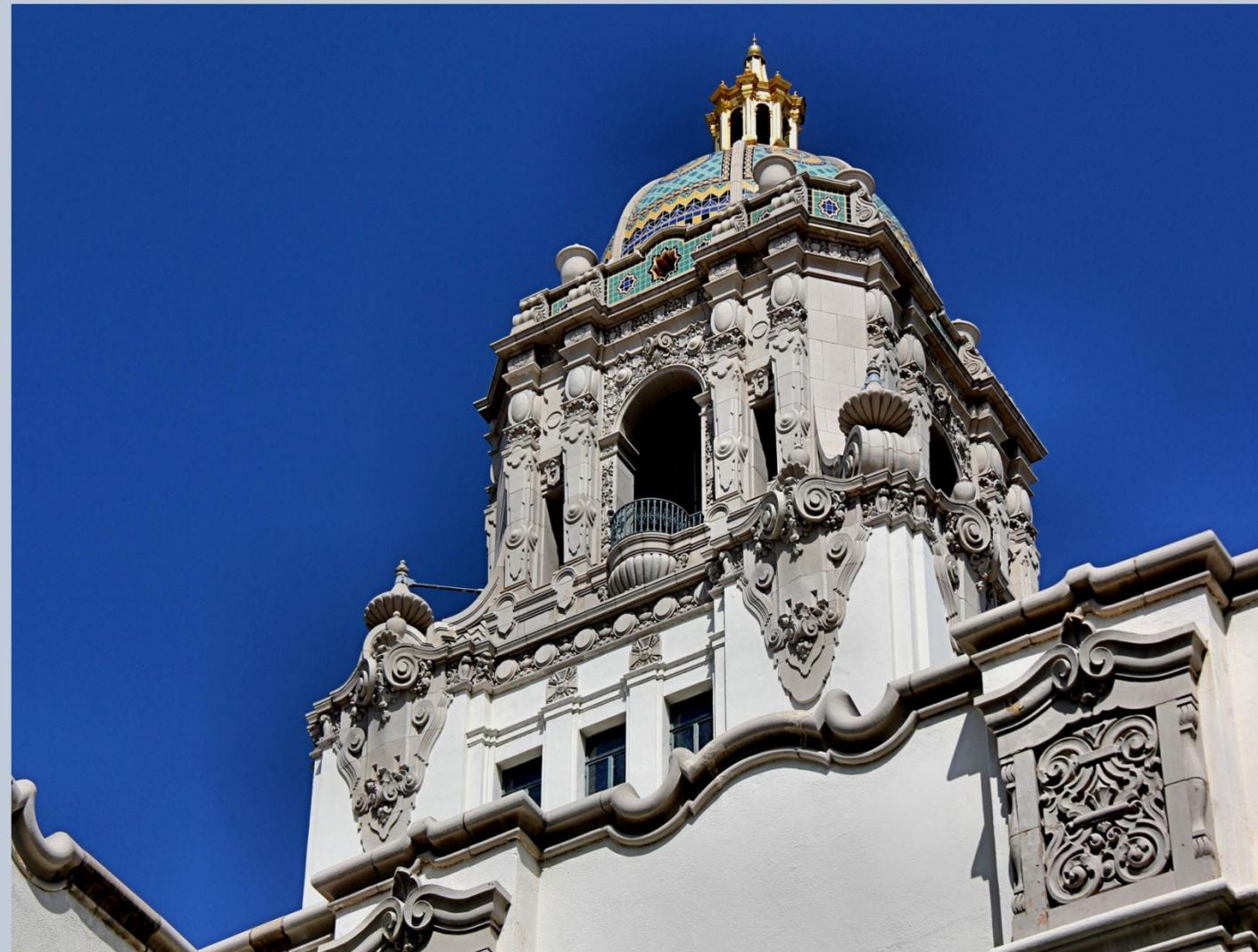
Local constitution of a city

02

Establishes structure & powers

03

Can only be changed through HRCA process



Introduction

- Statutory framework for municipal charter amendments
- Deadlines
- Roles of the Attorney General and Governor
- Examples

Amendments vs Revisions



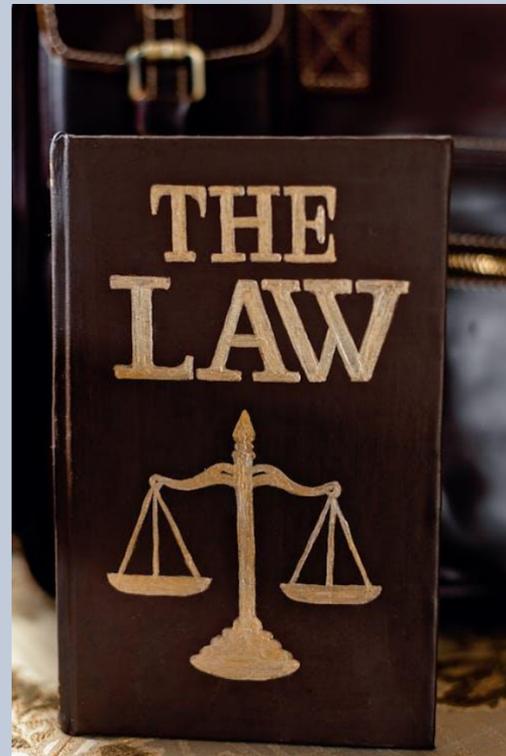
- Narrow, specific changes
- By council resolution or citizen petition



- Comprehensive rewrite
- Requires election of a charter commission

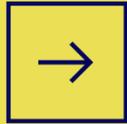
Statutory Sources

Home Rule City Act,
MCL 117.1 et seq



Michigan Election
Law, MCL 168.1 et seq

Attorney General Opinions,
case law, and precedent



Amendment Process

Initiated by:

- City council resolution (MCL 117.21)
- Elector petition (MCL 117.21)

AG review for form & legality (MCL 117.22)

Governor approval required

-council may override

Governor veto with 2/3 vote

Election law deadlines apply – (cont.)





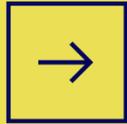
AG Review of Ballot Language

- Max 100 words (MCL 117.21)
- Must be clear, concise, non-misleading
- Caption & question format
- Cannot combine unrelated subjects

Revision Process



- Charter commission question placed on ballot (MCL 117.18)
- Voters elect commission (9 members, unless charter provides otherwise)
- Commission drafts full new charter
- Submitted to Governor, then placed on ballot



Role of the Attorney General

Reviews proposed amendments/revisions for:

- Form
- Legality
- Compliance with HRCA & Election Law

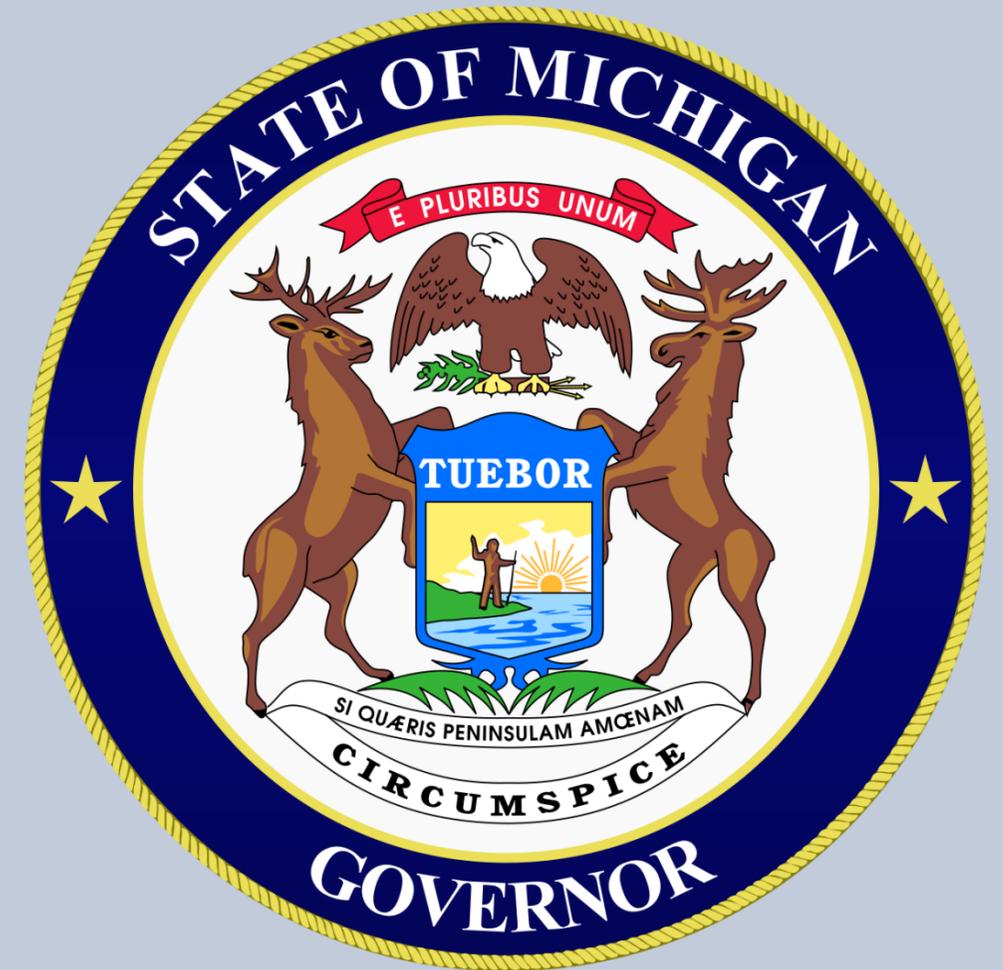
Issues recommendation to Governor

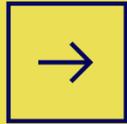
Cannot evaluate policy wisdom



Role of the Governor

- Receives AG recommendation
- Has final approval authority
- Ensures legality before ballot access
- Safeguard of statewide consistency



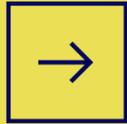


Deadlines for submission and Gov's approval

Deadlines: The Governor will not approve proposed charter amendments or revisions after 4 p.m. on the twelfth Tuesday before the election (except to approve changes that fix scrivener's errors for charter amendments and revisions already approved by the deadline.)

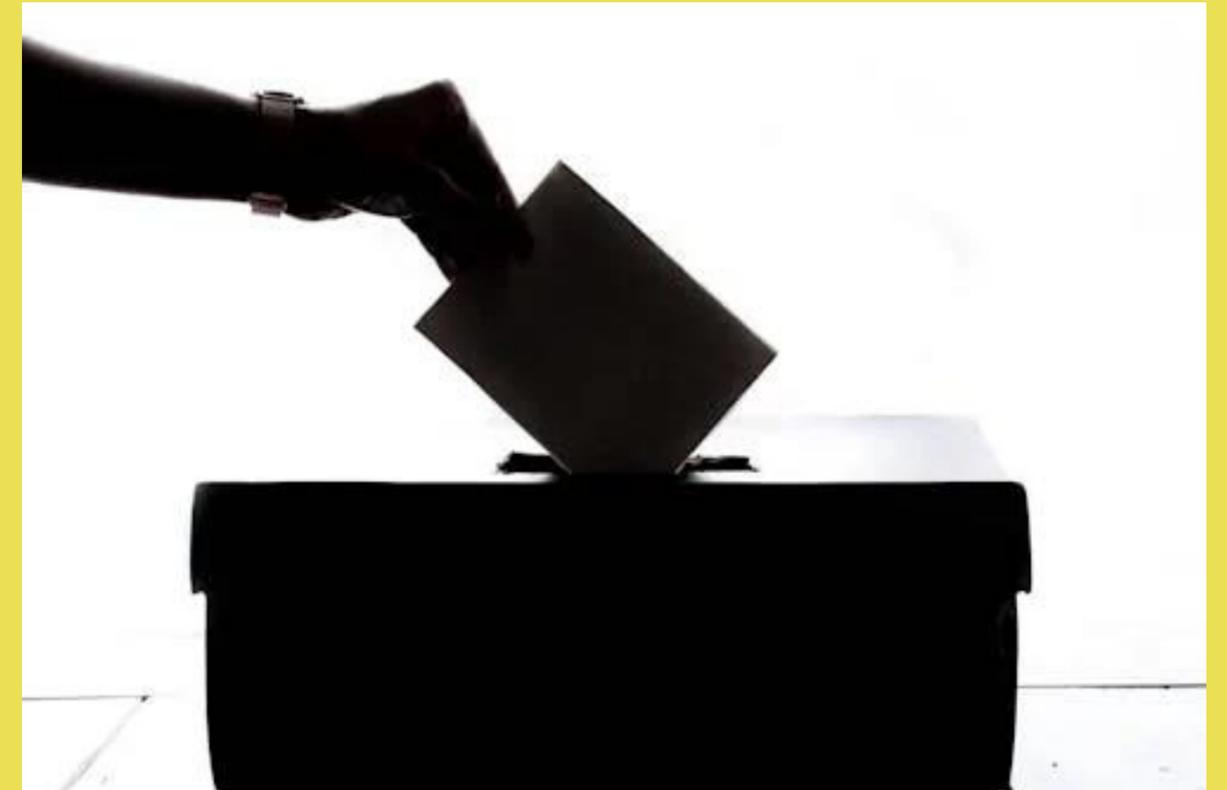
Practice Tip: Submit all proposed charter amendments to the Legal Division of the Governor's office at least **60 days** prior to the deadline for submitting ballot language to the local clerk (not later than 4 pm on the twelfth Tuesday before the election, MCL 168.646a) and to submit all proposed charter revisions to our office at least **90 days** prior to the deadline stated above.

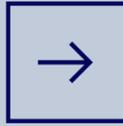
For example: charter amendments slated for the November 4, 2025 election should be submitted to the Legal Division by 6/6/2025 (twelfth Tuesday before election 8/5/2025 + 60 days). Charter revisions slated for the November 4, 2025 election should be submitted to the Legal Division 5/7/2025 (twelfth Tuesday before election 8/5/2025 + 90 days).



Election Law Overlay

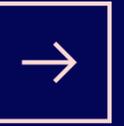
- MCL 168.646a – deadlines
- Filing and publication requirements
- Coordination with county/city clerks





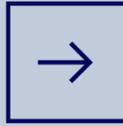
Case Study 1

Issue: Multiple unrelated amendments in one question



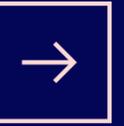
Result: AG rejected; required separate ballot questions



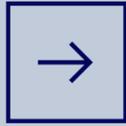


Case Study 2

Issue: Petition-based amendment with 120-word ballot language

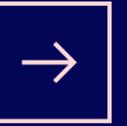


Result: Returned for compliance; missed election deadline

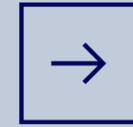


Case Study 3

Issue: Full revision – city commission overhaul

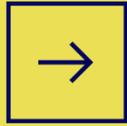


Result: Governor approved, voters rejected charter



Conclusion

- Charters = local constitutions
- Amendments = tweaks; revisions = rewrites
- AG ensures legality; Governor gives final approval
- Process safeguards voters' rights



Contact information

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