

**A SUMMARY OF HOUSE BILLS 6187 AND 6188 AS INTRODUCED 9-24-98**

House Bill 6187 would amend the Home Rule City Act to specify that a city, village, or township could not proceed to annex territory from another city, village, township, or charter township that has a population of 3,000 or more or that has within its limits property with the combined state equalized value of \$25 million or more unless the question of annexation has been voted on and approved by a majority of the voters in the annexing city; the voters, if any, in the territory proposed for annexation; and the voters of the balance of each city, village, township, or charter township in which the territory proposed to be annexed is located, voting independently. (As now, there would be an exception for special cases where the territory to be annexed is adjacent to a city and consists of property owned by the city or consists of fractional parts of platted subdivision lots located in an adjoining city.) If a vote is required, the annexation would be considered defeated if a majority of the voters voting on the issue in the annexing city, in the territory proposed for annexation, or in the balance of the city, village, township, or charter township in which the territory is located vote against the annexation. Otherwise, it would be considered approved and effective on the date set by the state boundary commission. (The population figure would be based on the last decennial census or any special federal or state census held since then.)

The bill also would eliminate the current provision that says an annexation approved by the state boundary commission is not subject to referendum if 100 persons or fewer reside in the area approved for annexation.

House Bill 6188 would make complementary amendments to Public Act 191 of 1968, which deals with municipal incorporation, consolidation, and annexation, and with the state boundary commission.

[The Home Rule City Act provides that in certain cases territory adjoining a city can be annexed to the city solely by a majority affirmative vote by the legislative body of the city and the approval of the of the legislative body of the adjoining city, village, or township. Alternatively, if there are no voters living in the territory proposed to be annexed to the city other than the person or persons petitioning for annexation, annexation can be accomplished by approval of the legislative body of the city and the township board of a petition signed by a person or persons, firms, corporations, the United States government, or the state or any of its subdivisions who collectively hold title to more than one-half of the area of the land. The act says, however, that

this should not be construed to permit any city the authority to proceed to attach territory from another city unless the question has been voted on by the voters of the entire cities affected, except in special cases where the territory to be annexed is adjacent to a city and consists of property owned by the city or consists of fractional parts of platted subdivision lots located in an adjoining city.]

MCL 117.9

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.