

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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House Bill 5437 (Substitute S-2 as reported)  
Sponsor: Representative Patricia Birkholz  
House Committee: Local Government  
Senate Committee: Local, Urban and State Affairs

## **CONTENT**

The bill would amend the General Law Village Act to do the following:

- Require a two-thirds vote of a village council on a resolution determining the amount of a local public improvement or repair that could be assessed on the property that benefited.
- Prohibit a council from increasing a tax or imposing a special assessment except by an affirmative vote of two-thirds of the council members.
- Substitute the term "assessed value" for the term "taxable value" of property and change references to a village "assessor" to a village "treasurer".
- Permit a council to establish a police force, and permit a village president to nominate and a council to appoint a police chief. (House Bill 5438 (H-1) would repeal provisions for a marshal to serve as a village police chief.)
- Permit a council by ordinance to delegate to a police chief its authority to employ police officers and other personnel; and require an election on the ordinance if at least 10% of the registered electors filed a petition.
- Permit a council, by ordinance, to create a department of public safety and delegate to it the duties of a fire and/or police department, and require the ordinance to provide for a right of referendum.
- Require a village that wanted to acquire private property for the public's use and benefit to follow procedures under the Uniform Condemnation Procedures Act, and establish procedures following a verdict in favor of the village for the assessment of benefited property.
- Provide for the disincorporation of a village if a petition signed by at least 15% of the village electors requested a vote on the question of disincorporation.
- Permit a village disincorporation to take place pursuant to a vote of the electors or by a village council resolution to proceed with appointment of a commission to prepare a plan for disincorporation.

House Bill 5437 (S-2) also would repeal a number of provisions of the current Act, many of which would be replaced by the bill's provisions. The bill is are tie-barred to House Bill 5438.

MCL 68.31 et al.

Legislative Analyst: L. Arasim

## **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 5-26-98

Fiscal Analyst: R. Ross