

HOUSE BILL No. 6188

September 24, 1998, Introduced by Rep. Gagliardi and referred to the Committee on Local Government.

A bill to amend 1968 PA 191, entitled

"An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation and annexation; and to repeal certain acts and parts of acts,"

by amending section 11b (MCL 123.1011b), as added by 1982 PA 192.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11b. (1) If the commission, after determining the
2 validity of a petition or resolution for annexation, has ordered
3 a public hearing pursuant to section 9 of ~~Act No. 279 of the~~
4 ~~Public Acts of 1909, as amended, being section 117.9 of the~~
5 ~~Michigan Compiled Laws~~ THE HOME RULE CITY ACT, 1909 PA 279,
6 MCL 117.9, and if on the date the petition or resolution was
7 filed more than 100 persons resided in the area proposed for
8 annexation, the legislative body of each city and township

1 affected by the proposed annexation may pass a resolution calling
2 for a referendum on the question of annexation. If a copy of
3 each resolution passed by the legislative body of each affected
4 city and township is filed with the commission and the commission
5 approves the annexation, the commission, in its order approving
6 the annexation, shall order that a referendum on the question of
7 annexation be held in each affected city and township. If a res-
8 olution calling for a referendum on the question of annexation is
9 not passed by each affected city and township and filed with the
10 commission, the referendum and election shall be subject to
11 ~~section 9(5) of Act No. 279 of the Public Acts of 1909, as~~
12 ~~amended~~ SECTION 9(4) OF THE HOME RULE CITY ACT, 1909 PA 279,
13 MCL 117.9. However, if a referendum in each affected city and
14 township is ordered pursuant to this section and if the majority
15 of the electorate voting on the question in each city and town-
16 ship in which a referendum was held, voting separately, approve
17 the annexation, the annexation shall be effective on a date set
18 by order of the commission, otherwise the annexation shall not
19 take effect.

20 (2) This section ~~shall apply~~ APPLIES to all petitions or
21 resolutions for annexation filed with the commission after May 1,
22 1982.

23 (3) This section is an alternative to the referendum and
24 election process provided for in ~~section 9(5) of Act No. 279 of~~
25 ~~the Public Acts of 1909, as amended~~ SECTION 9(4) OF THE HOME
26 RULE CITY ACT, 1909 PA 279, MCL 117.9, and does not supersede

1 ~~section 9(5) of Act No. 279 of the Public Acts of 1909, as~~
2 ~~amended~~ THAT SECTION.

3 Enacting section 1. This amendatory act does not take
4 effect unless Senate Bill No. _____ or House Bill
5 No. _____ (request no. 06962'98) of the 89th Legislature is
6 enacted into law.