

**HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 852**

A bill to amend 1851 PA 156, entitled

"An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act,"

by amending section 11c (MCL 46.11c), as amended by 1989 PA 30.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 11c. (1) A county board of commissioners may provide  
2 by resolution for energy conservation improvements to be made to  
3 county facilities and may pay for the improvements from the gen-  
4 eral fund of the county or from the savings that result from the  
5 energy conservation improvements. Energy conservation improve-  
6 ments may include, but are not limited to, heating system  
7 improvements, fenestration improvements, roof improvements, the  
8 installation of any insulation, the installation or repair of

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1 heating or air conditioning controls, and entrance or exit way  
2 closures.

3 (2) The county board of commissioners of a county may  
4 acquire 1 or more of the energy conservation improvements  
5 described in subsection (1) by installment contract or may borrow  
6 money and issue notes for the purpose of securing funds for the  
7 improvements or may enter into contracts in which the cost of the  
8 energy conservation improvements is paid from a portion of the  
9 savings that result from the energy conservation improvements.  
10 These contractual agreements may provide that the cost of the  
11 energy conservation improvements are paid only if the energy sav-  
12 ings are sufficient to cover their cost. An installment contract  
13 or notes issued pursuant to this subsection shall extend for a  
14 period of time not to exceed 10 years. Notes issued pursuant to  
15 this subsection shall be full faith and credit, tax limited obli-  
16 gations of the county, payable from tax levies and the general  
17 fund as pledged by the county board of commissioners of the  
18 county. The notes ~~shall be~~ ARE subject to the ~~municipal~~  
19 ~~finance act, Act No. 202 of the Public Acts of 1943, being sec-~~  
20 ~~tions 131.1 to 139.3 of the Michigan Compiled Laws~~ REVISED  
21 MUNICIPAL FINANCE ACT, 2001 PA 34, MCL 141.2101 TO 141.2821.  
22 ~~The notes shall bear interest at a rate determined by the county~~  
23 ~~board of commissioners of the county, not to exceed the rate pro-~~  
24 ~~vided in section 1a of chapter III of the municipal finance act,~~  
25 ~~Act No. 202 of the Public Acts of 1943, being section 133.1a of~~  
26 ~~the Michigan Compiled Laws.~~ This subsection does not limit in

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1 any manner the borrowing or bonding authority of a county as  
2 provided by law.

3 (3) If energy conservation improvements are made as provided  
4 in this section, the county board of commissioners shall report  
5 the following information to the ~~Michigan public service~~  
6 ~~commission~~ DEPARTMENT OF TREASURY within 60 days of the comple-  
7 tion of the improvements:

8 (a) Name of each facility to which an improvement is made  
9 and a description of the conservation improvement.

10 (b) Actual energy consumption during the 12-month period  
11 before completion of the improvement.

12 (c) Project costs and expenditures.

13 (d) Estimated annual energy savings.

14 (4) If energy conservation improvements are made as provided  
15 in this section, the county board of commissioners shall report  
16 to the ~~Michigan public service commission~~ DEPARTMENT OF  
17 TREASURY, by July 1 of each of the 5 years after the improvements  
18 are completed, only the actual annual energy consumption of each  
19 facility to which improvements are made. The forms for the  
20 reports required by this section shall be furnished by the  
21 ~~Michigan public service commission~~ DEPARTMENT OF TREASURY.