

Legislative Analysis



CHARTER TOWNSHIPS OVER 20,000: CANNOT BE ANNEXED; CANNOT DETACH

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House Bill 4024

Sponsor: Rep. Kurt Heise

Committee: Local Government

Complete to 3-26-14

A SUMMARY OF HOUSE BILL 4024 AS INTRODUCED 1-22-13

House Bill 4024 would amend the Charter Township Act to provide that, beginning on the bill's effective date, a charter township with a population of more than 20,000, and that meets certain other requirements, would be exempt from annexation and also could not detach territory. The bill would apply to any annexation or detachment pending on or initiated after its effective date.

Currently under the act, a charter township that meets the following criteria is exempt from annexation to any contiguous city or village, except as otherwise provided:

- Has a state equalized valuation of at least \$25 million.
- Has a population density of at least 150 people per square mile.
- Provides fire protection service by contract or otherwise.
- Is governed by a comprehensive zoning ordinance or master plan.
- Provides solid waste disposal services to township residents.
- Provides water and/or sewer services by contract or otherwise.
- Provides police protection through contract with the sheriff in addition to normal sheriff patrol in addition to normal sheriff patrol, through an intergovernmental contract, or through its own police department.

The act specifies the circumstances under which the exemption from annexation does not apply; that is, instances where a portion of a charter township can be annexed by a city or village even though it meets the listed criteria.

Under House Bill 4024, however, those exceptions would not apply to a charter township with a population of more than 20,000 that meets all of the criteria listed above. Instead the bill would say that such a township would be exempt from annexation and also would not be permitted to detach territory under any circumstance.

The bill also would amend the criteria listed above to refer to "solid waste disposal services or recycling services." (The underlined would be new language.)

MCL 42.34

FISCAL IMPACT:

There would be no direct state fiscal impact, and because any potential annexations/detachments that might be prevented cannot be identified, the fiscal impact on the affected local units is indeterminate. However, as written the bill should not significantly affect the total amount of local revenue.

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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.