

HOUSE BILL No. 4299

March 5, 2015, Introduced by Rep. Nesbitt and referred to the Committee on Energy Policy.

A bill to amend 1951 PA 35, entitled

"An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts,"

by amending section 3 (MCL 124.3), as amended by 2000 PA 155.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) A municipal corporation may contract for adequate
2 consideration with a person or another municipal corporation to
3 furnish to property outside the municipal corporate limits any
4 lawful municipal service that it is furnishing to property within
5 the municipal corporate limits. A municipal corporation may sell
6 and deliver heat, power, and light in amounts as determined by the
7 governing body of the utility, except for both of the following:

1 (a) Electric delivery service is limited to the area of any
2 city, village, or township that was contiguous to the municipal
3 corporation as of June 20, 1974, and to the area of any other city,
4 village, or township being served by the municipal utility as of
5 June 20, 1974.

6 (b) Retail sales of electric generation service are limited to
7 the area of any city, village, or township that was contiguous to
8 the municipal corporation as of June 20, 1974, and to the area of
9 any other city, village, or township being served by the municipal
10 utility as of June 20, 1974, unless the municipal corporation is in
11 compliance with section ~~10y(4)~~ **10Y** of 1939 PA 3, MCL 460.10y.

12 (2) A municipal corporation shall not render electric delivery
13 service for heat, power, or light to customers outside its
14 corporate limits already receiving the service from another utility
15 unless the serving utility consents in writing.

16 (3) As used in this section:

17 (a) "Electric delivery service" ~~has the same meaning as~~
18 ~~"delivery service" under section 10y of 1939 PA 3, MCL~~
19 ~~460.10y.~~ **MEANS PROVIDING ELECTRIC TRANSMISSION OR DISTRIBUTION TO A**
20 **RETAIL CUSTOMER.**

21 (b) "Electric generation service" means the sale of electric
22 power and related ancillary services.

23 (c) "Person" means an individual, partnership, association,
24 governmental entity, or other legal entity.

25 Enacting section 1. This amendatory act takes effect 90 days
26 after the date it is enacted into law.

27 Enacting section 2. This amendatory act does not take effect

1 unless Senate Bill No. ____ or House Bill No. 4298 (request no.
2 01467'15) of the 98th Legislature is enacted into law.