

MICHIGAN PROMISE ZONE AUTHORITY ACT (EXCERPT)
Act 549 of 2008

390.1671 Director; powers and duties; acting director; treasurer; secretary; legal counsel; other personnel; deposit of money; administrative costs; limitation; submission of audited financial statements; certification of compliance.

Sec. 11.

(1) The board may employ a director. All of the following apply to a director employed by a board under this subsection:

- (a) The board shall establish the director's compensation.
- (b) The director serves at the pleasure of the board.
- (c) A member of the board is not eligible to hold the position of director.

(d) Before beginning the duties of office, the director shall take and subscribe to the constitutional oath and furnish a bond in an amount determined in the resolution establishing the authority, payable to the authority for use and benefit of the authority, approved by the board, and filed with the clerk of the eligible entity. The premium on the bond must be considered an operating expense of the authority, payable from money available to the authority for expenses of operation.

- (e) The director is the chief executive officer of the authority.

(2) Subject to the approval of the board, the director shall supervise and is responsible for implementing the promise zone development plan and the performance of the functions of the authority in the manner authorized under this act. The director shall attend the meetings of the board and shall provide to the board, the governing body, and the chief executive officer of the eligible entity a regular report covering the activities and financial condition of the authority. If the director is absent or disabled, the board may designate a qualified person as acting director to perform the duties of the office. Before beginning the duties of office, the acting director shall take and subscribe to the oath, and furnish a bond, as required of the director under subsection (1)(d). The director shall furnish the board with any information or reports governing the operation of the authority that the board requires.

(3) The board may employ and fix the compensation of a treasurer, who shall keep the financial records of the authority and who, together with the director, shall approve all vouchers for the expenditure of money of the authority. The treasurer shall perform all duties delegated to the treasurer by the board and shall furnish a bond in an amount prescribed by the board.

(4) The board may employ and fix the compensation of a secretary, who shall maintain custody of the official seal and of records, books, documents, or other papers the treasurer is not required to maintain. The secretary shall attend meetings of the board and keep a record of its proceedings and shall perform other duties delegated by the board.

- (5) The board may retain legal counsel to advise the board in the proper performance of its duties.

- (6) The board may employ any other personnel that the board considers necessary.

(7) The authority shall immediately deposit any money it receives to the credit of the authority, subject to disbursement under this act.

(8) Beginning in the first fiscal year in which it receives revenue from the state from the capture of state education tax revenue under section 17, the authority may use not more than 15% of the amount of that revenue to pay for administrative costs. As used in this subsection, "administrative costs" does not include the cost of personnel who provide services to students or any expenditure of funds for implementing and carrying out educational improvement activities or success programming for students as described in section 7(2)(a).

(9) Within 120 days after the end of each fiscal year, the board shall submit audited financial statements of the authority for that fiscal year to the department of education. The board shall include with the financial statements a certification by the board that the board and authority are in compliance with this act and with the authority's approved promise zone development plan.

History: 2008, Act 549, Imd. Eff. Jan. 13, 2009 ;-- Am. 2013, Act 210, Imd. Eff. Dec. 23, 2013 ;-- Am. 2016, Act 9, Imd. Eff. Feb. 16, 2016 ;-- Am. 2024, Act 109, Imd. Eff. July 23, 2024