

# HOUSE BILL No. 6152

November 8, 1990, Introduced by Rep. Jaye and referred to the Committee on State Affairs.

A bill to amend section 22 of Act No. 338 of the Public Acts of 1974, entitled as amended  
"Economic development corporations act,"  
being section 125.1622 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 22 of Act No. 338 of the Public Acts of  
2 1974, being section 125.1622 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4       Sec. 22. (1) ~~A~~ EXCEPT AS PROVIDED IN SUBSECTION (2), A  
5 municipality may take private property under Act No. 149 of the  
6 Public Acts of 1911, as amended, being sections 213.21 to  
7 ~~213.41~~ 213.25 of the Michigan Compiled Laws, for the purpose of  
8 transfer to ~~the~~ A corporation, and may transfer the property to  
9 the corporation for use in an approved project, on terms and  
10 conditions it deems appropriate, and the taking, transfer, and

1 use shall be considered necessary for public purposes and for the  
2 benefit of the public.

3 (2) A MUNICIPALITY SHALL NOT TAKE PRIVATE PROPERTY FOR  
4 TRANSFER TO A CORPORATION AS PROVIDED IN SUBSECTION (1) IF BOTH  
5 OF THE FOLLOWING APPLY:

6 (A) THE TAKING OF THE PROPERTY WILL BENEFIT SPECIFIC AND  
7 IDENTIFIABLE PRIVATE INTERESTS OF AN INDUSTRIAL OR COMMERCIAL  
8 ENTERPRISE.

9 (B) TO ACCOMPLISH THE PURPOSES DESCRIBED IN SECTION 2, THE  
10 CORPORATION WILL, DIRECTLY OR INDIRECTLY, SELL THE PROPERTY TO OR  
11 LEASE THE PROPERTY TO THE INDUSTRIAL OR COMMERCIAL ENTERPRISE  
12 DESCRIBED IN SUBDIVISION (A); OR WILL ALLOW THE PRIVATE USE OF  
13 THE PROPERTY, WHICH USE IS DISTINCT FROM THE USE OF OTHER MEMBERS  
14 OF THE PUBLIC, BY THE INDUSTRIAL OR COMMERCIAL ENTERPRISE  
15 DESCRIBED IN SUBDIVISION (A).