

Act No. 322  
Public Acts of 1996  
Approved by the Governor  
June 25, 1996  
Filed with the Secretary of State  
June 26, 1996

**STATE OF MICHIGAN  
88TH LEGISLATURE  
REGULAR SESSION OF 1996**

Introduced by Senator Dunaskiss

**ENROLLED SENATE BILL No. 1006**

AN ACT to amend sections 2 and 3 of Act No. 266 of the Public Acts of 1909, entitled "An act to authorize township boards to grant the right to use the highways, streets, alleys and other public places of any township for poles, wires, pipes or conduits, or tracks for railways, and to operate and maintain the same, and to authorize townships to grant public utility franchises, and to provide for the submission of such public utility franchise grants to the electors for confirmation," being sections 460.602 and 460.603 of the Michigan Compiled Laws; to add section 3a; and to repeal acts and parts of acts.

*The People of the State of Michigan enact:*

Section 1. Sections 2 and 3 of Act No. 266 of the Public Acts of 1909, being sections 460.602 and 460.603 of the Michigan Compiled Laws, are amended and section 3a is added to read as follows:

Sec. 2. (1) A township may grant a franchise by a majority vote of the township board. The board shall designate a franchise granted under this act as either revocable or irrevocable.

(2) If the franchise is designated as irrevocable, approval of the franchise as irrevocable shall be submitted to a vote of the electors of the township at the next election.

(3) If the electors do not approve the irrevocability of the franchise, the franchise shall remain valid but continue as a revocable franchise.

Sec. 3. At least 20 days before the next election, the township clerk shall give notice that the question of granting an irrevocable franchise will be submitted to a vote of the electors by posting a notice in 3 or more public places in the township.

Sec. 3a. Unless revoked by the board or otherwise voted by the electors, a revocable franchise granted before the effective date of the amendatory act that added this section shall be a revocable franchise under this act subject to the terms and conditions of any existing agreements or contracts between the franchisee and the township.

Section 2. Sections 4 and 5 of Act No. 266 of the Public Acts of 1909, being sections 460.604 and 460.605 of the Michigan Compiled Laws, are repealed.

This act is ordered to take immediate effect.

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Secretary of the Senate.

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Clerk of the House of Representatives.

Approved -----

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Governor.

