



House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

COMMUNITY COLLEGE DISTRICTS: ANNEXATION

House Bill 5522

Sponsor: Rep. O'Neil

Committee: Local Government and
Urban Policy

Complete to 1-22-02

A SUMMARY OF HOUSE BILL 5522 AS INTRODUCED 12-13-01

Public Act 331 of 1966, also known as the Community College Act of 1966, provides, in part, for the creation of community college districts organized on a county basis, on a local school district basis, or an intermediate school district (ISD) basis. In general, each kind of community college district may annex a contiguous county, a contiguous local school district, or a contiguous ISD. However, a community college district formed in an ISD with a population of more than 1.5 million may not annex a contiguous county, and a community college district organized on a county basis may annex a contiguous township. In any case, territory may only be annexed if it is not already in a community college district.

House Bill 5522 would amend the Community College Act of 1996 (MCL 389.21 et al.) to allow each type of community college district to annex contiguous counties, townships, cities, and villages—in addition to contiguous local and intermediate school districts—as long as the territory to be annexed is not already located in a community college district. Community college districts organized on a county basis could annex contiguous cities and villages according to procedures that currently apply to the annexation of contiguous counties and contiguous townships. For community college districts organized on either a local school district basis or on an intermediate school district basis, where the ISD has a population of *1.5 million or less*, annexation of contiguous townships, cities, and villages would have to follow procedures that currently apply to the annexation of contiguous counties. For a community college district organized on an ISD basis, in which the ISD has a population of *more than 1.5 million*, the bill would establish procedures for the annexation of contiguous counties, townships, cities, and villages that are similar to the procedures for the annexation of local and intermediate school districts. Exceptions to the general similarities in annexation procedures and other proposed changes to the act are summarized in detail below.

Community college district not consisting of a single local school district. Chapter 2 of the act deals with community college districts organized on the basis of local school districts. Currently, Chapter 2 distinguishes between a *proposed* community college district that consists of two or more local school districts and an *existing* district that consists of two or more local school districts. The bill would amend the provisions specific to a proposed district so that they applied to either a proposed or existing district consisting of two or more local school districts; the provisions that currently apply to existing districts would be eliminated.

Election conduct and procedures. Currently the act specifies that Public Act 269 of 1955, the School Code of 1955, governs the conduct and procedures of elections conducted by local

House Bill 5522 (1-22-02)

school boards, in the case of community college districts organized on the basis of local school districts. Public Act 269 of 1955 was repealed in 1976, and so the act would specify instead that the Revised School Code (PA 451 of 1976) governs the election conduct and procedures. Moreover, the bill would specify that the Michigan Election Law (PA 116 of 1954) governs conduct and procedures of an election conducted by a county, city, or village, under the act's provisions. (The bill is silent on township election conduct and procedures.)

Election for annexation of county, township, city, or village by ISD with population greater than 1.5 million. In general, an ISD with a population greater than 1.5 million could annex counties, townships, cities, and villages according to the procedures currently established for the annexation of local school districts and other ISD's. Currently the act establishes (slightly) different procedures for scheduling an election to approve a proposed annexation of a local school district from those that apply in the case of a proposed annexation of another ISD. The bill would establish new procedures for scheduling an election to approve a proposed annexation of a county, township, city, or village. If a resolution and approval of a county, township, city, or village were filed either 90 days or more or 20 days or less from the date of the next general election, then the county board of commissioners, township board, the city common council, council, or commission, or the village council (as applicable) would have to call a special election to consider the proposed annexation. If the resolution and approval were filed less than 90 days but more than 20 days before the next general election, the proposed annexations would have to be submitted to the electors of the county, township, city, or village at that election.

Analyst: J. Caver

■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.