

SENATE BILL No. 1347

May 28, 2008, Introduced by Senators BARCIA and GLEASON and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1909 PA 279, entitled
"The home rule city act,"
by amending section 16 (MCL 117.16).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16. (1) If the proposed charter ~~be~~ **IS** rejected at ~~such~~ **AN**
2 election, the election of officers ~~shall be~~ **IS** void, except that
3 the elector who ~~shall receive~~ **RECEIVES** the highest number of votes
4 cast for the office of mayor shall ~~nevertheless~~ be a de facto
5 officer of ~~such~~ **THE** proposed city ~~,~~ until a mayor for ~~such~~ **THE**
6 proposed city is elected and qualified pursuant to a charter ~~of~~
7 which the electors have approved. ~~,~~ ~~and the~~ **THE** mayor ~~so~~ elected
8 shall, after the lapse of 10 days within which petitions for the
9 selection of a new charter commission may be filed, ~~as hereinafter~~

1 ~~stated, if such~~ **THE** petition has not been filed with him **OR HER**, by
2 notice, require the ~~said~~ charter commission to reconvene and within
3 90 days after ~~such~~ **THE** notice provide ~~such~~ **ANY** revision, amendment,
4 or amendments to the original draft of the charter previously
5 prepared by them as ~~to them shall seem fit~~ **THEY CONSIDER NECESSARY**.

6 (2) The proposed charter, with ~~such~~ amendment or amendments,
7 shall be resubmitted to the qualified electors of ~~said~~ **THE** proposed
8 city in the same manner and with ~~like~~ **THE SAME** notice and
9 proceedings as required in the first instance, which proceedings
10 shall continue until the qualified electors of ~~said~~ **THE** proposed
11 city have, by a majority vote, approved a charter for ~~said~~ **THE**
12 proposed city. ~~Provided, That any such~~

13 (3) **ANY** proposed charter, as originally submitted or
14 resubmitted with any ~~such~~ amendment or amendments, shall **NOT** be
15 submitted ~~not to exceed~~ **MORE THAN** 3 times to the qualified electors
16 of ~~said~~ **THE** proposed city, and if rejected 3 times, or in the event
17 that ~~no~~ **A** charter is ~~or has been~~ **NOT** adopted by the electors of
18 ~~said~~ **THE** proposed city during a period of ~~2~~ **3** years following the
19 election on the question of the incorporation of ~~said~~ **THE** proposed
20 city, the township clerk of the township in which ~~said~~ **THE** proposed
21 city is located, or of that township having the largest portion of
22 the population thereof, shall certify ~~such~~ **THAT** fact to the
23 secretary of state and to the county clerk, register of deeds, and
24 circuit court of the county in which ~~said~~ **THE** proposed city is
25 located. ~~and the~~ **THE** territory of ~~said~~ **THE** proposed city shall
26 thereupon revert to the status existing prior to the filing of the
27 petition required by section 6, ~~of this act,~~ and the office of each

1 charter commissioner and de facto officer of the proposed city
2 shall terminate and cease to exist. ~~and any~~ **ANY** sum of ~~moneys~~
3 **MONEY** deposited with the county clerk according to section 6 ~~of~~
4 ~~this act~~ shall be paid by the county clerk into the general fund of
5 the county.