

# 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.