

# HOUSE BILL No. 4394

March 7, 2013, Introduced by Reps. Howrylak, Jacobsen, VerHeulen, Outman, Pagel,  
Victory and Cotter and referred to the Committee on Elections and Ethics.

A bill to amend 1846 RS 16, entitled

"Of the powers and duties of townships, the election and duties of township officers, and the division of townships,"

by amending section 8 (MCL 41.8), as amended by 1990 PA 101.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 8. (1) Except as otherwise provided in this section, an  
2 annual meeting of the electors of each township shall be held on  
3 the last Saturday in the last month of each fiscal year, at the  
4 time and place selected by the township board. However, the annual  
5 meeting may be held on an alternate date if the alternate date is  
6 approved by a majority of the township board and is in the last  
7 month of the township's fiscal year.

8           (2) The business performed at a meeting of the electors of a  
9 township shall be conducted at a public meeting held in compliance  
10 with the open meetings act, ~~Act No. 267 of the Public Acts of 1976,~~

1 ~~as amended, being sections 15.261 to 15.275 of the Michigan~~  
2 ~~Compiled Laws. 1976 PA 267, MCL 15.261 TO 15.275.~~ Public notice of  
3 the time, date, and place of the meeting shall be given by the  
4 township clerk in the manner required by ~~Act No. 267 of the Public~~  
5 ~~Acts of 1976, as amended, THE OPEN MEETINGS ACT, 1976 PA 267, MCL~~  
6 ~~15.261 TO 15.275,~~ and as provided by section 2 of ~~Act No. 43 of the~~  
7 ~~Public Acts of the Second Extra Session of 1963, being section~~  
8 ~~141.412 of the Michigan Compiled Laws, 1963 (2ND EX SESS) PA 43,~~  
9 ~~MCL 141.412,~~ except as provided in subsection (3).

10 (3) In a township having less than 200 registered electors,  
11 the township board may provide that notice need not be given as  
12 provided in section 2 of ~~Act No. 43 of the Public Acts of the~~  
13 ~~Second Extra Session of 1963, 1963 (2ND EX SESS) PA 43, MCL~~  
14 ~~141.412,~~ but shall be posted in 3 of the most public places of the  
15 township.

16 (4) The electors meeting at the place designated shall  
17 transact lawful business by majority vote.

18 (5) In a township other than a charter township, the township  
19 board, by resolution, may, or on the filing of petitions signed by  
20 a number of registered electors of the township equal to not less  
21 than 5% of the electors who voted for township supervisor at the  
22 immediately preceding township supervisor election of the township,  
23 shall, submit the question of the reestablishment of the annual  
24 meeting of the electors to the electors of the township at the next  
25 regular primary election or general election. The resolution or  
26 petitions shall be filed with the township clerk not ~~less than 70~~  
27 ~~days~~ **LATER THAN 4 P.M. ON THE FIFTEENTH TUESDAY** before the election

1 at which the question is submitted. If a majority of the electors  
2 of the township voting on the question votes to reestablish the  
3 annual meeting of the electors, the annual meeting of the electors  
4 is reestablished for that township, and the electors at the annual  
5 meeting shall reassume powers conferred by statute. Once the annual  
6 meeting has been reestablished by a vote of the people, the annual  
7 meeting may only be abolished by a resolution of the township board  
8 submitting the question of the abolition of the annual meeting to  
9 the electors of the township at the next regular primary or general  
10 election.

11 (6) Except as provided in subsection (5), a township is not  
12 required to hold an annual meeting of the electors of the township  
13 unless the township board, by resolution, elects to hold an annual  
14 meeting.

15 (7) In a township that does not hold an annual meeting, powers  
16 that could have been exercised by the electors at an annual meeting  
17 may be exercised by the township board.

18 Enacting section 1. This amendatory act takes effect 120 days  
19 after the date it is enacted into law.

20 Enacting section 2. This amendatory act does not take effect  
21 unless Senate Bill No. \_\_\_\_ or House Bill No. 4393 (request no.  
22 01399'13) of the 97th Legislature is enacted into law.