

# HOUSE BILL No. 5757

September 9, 2014, Introduced by Rep. Graves and referred to the Committee on Local Government.

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 sections 28 and 72a (MCL 41.28 and 41.72a), section 28 as amended by 1989 PA 77 and section 72a as amended by 1999 PA 198.

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

1           Sec. 28. ~~The~~**BEFORE JANUARY 1, 2015, THE** township clerk,  
2           within 2 days after receiving an order for a special township  
3           meeting of the electors, shall ~~cause copies~~ post copies of the  
4           order in 3 of the most public places in the township, and if there  
5           is a newspaper printed in the township, he or she shall also  
6           publish a copy of the order in that newspaper, if practicable, at  
7           least 5 days before the day appointed for the special township  
8           meeting of the electors. **BEGINNING JANUARY 1, 2015, PUBLIC NOTICE**  
9           **OF AN ORDER FOR A SPECIAL TOWNSHIP MEETING OF THE ELECTORS SHALL BE**

1 PROVIDED BY THE TOWNSHIP CLERK IN THE MANNER REQUIRED UNDER THE  
2 OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

3 Sec. 72a. (1) The township board shall provide by resolution  
4 for the time and place of its regular meetings, and shall hold not  
5 less than 1 regular meeting every 3 months. If a time set for a  
6 regular meeting of the township board is a holiday, as designated  
7 by the township board, the regular meeting shall be held at the  
8 same time and place on the next secular day that is not a holiday.

9 (2) A special meeting of the township board shall be held at a  
10 time fixed by the board at a meeting or when the supervisor  
11 considers it necessary. Upon call of the supervisor, the township  
12 clerk shall give notice of the time and place of the meeting to  
13 each member, either in person or by leaving a written notice at the  
14 member's address. A special meeting of the township board shall be  
15 called by the township clerk upon receiving a written request for  
16 the meeting signed by a majority of the township board members.

17 (3) The supervisor, if present, shall be the moderator of a  
18 regular or special meeting of the township board. If the supervisor  
19 is not present, the township board, under the direction of the  
20 township clerk, shall elect by voice vote a member of the township  
21 board as a moderator of the meeting. The township clerk has the  
22 same powers and duties as the moderator until a moderator is  
23 chosen.

24 (4) The township board shall not transact business at a  
25 special meeting unless the business was stated in the notice of the  
26 meeting. However, if all the members of the board are present at a  
27 special meeting, business that might lawfully come before a regular

1 meeting of the board may be transacted at the special meeting.

2 (5) ~~Subject~~ **BEFORE JANUARY 1, 2015 AND SUBJECT** to subsection  
3 (6), if a township has a taxable value, as calculated under section  
4 27a of the general property tax act, 1893 PA 206, ~~MCL 211.27A,~~ **MCL**  
5 **211.27A**, of \$50,000,000.00 or more, the township board, not more  
6 than 21 days after a meeting of the board, shall publish the  
7 proceedings of the meeting in a newspaper of general circulation in  
8 the township. **BEGINNING JANUARY 1, 2015 AND SUBJECT TO SUBSECTION**  
9 **(6), IF A TOWNSHIP HAS A TAXABLE VALUE, AS CALCULATED UNDER SECTION**  
10 **27A OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.27A, OF**  
11 **\$50,000,000.00 OR MORE, THE TOWNSHIP BOARD, NOT MORE THAN 21 DAYS**  
12 **AFTER A MEETING OF THE BOARD, SHALL PROVIDE TIER B PUBLIC NOTICE**  
13 **WITH A LINK OF THE PROCEEDINGS OF THE MEETING AS SET FORTH IN THE**  
14 **LOCAL GOVERNMENT PUBLIC NOTICE ACT.** The publication, **OR POSTING**  
15 **UNDER THE LOCAL GOVERNMENT PUBLIC NOTICE ACT**, of a synopsis of the  
16 proceedings, prepared by the township clerk and approved by the  
17 supervisor, showing the substance of each separate proceeding of  
18 the board is a sufficient compliance with the requirements of this  
19 subsection.

20 (6) The \$50,000,000.00 amount provided for in subsection (5)  
21 shall be adjusted as of January 1 of each year, beginning January  
22 1, 1998. The department of treasury shall determine on or before  
23 December 1 of each year, beginning December 1, 1997, an adjusted  
24 amount for the following year. The adjusted amount for each year  
25 shall be determined by comparing the consumer price index for the  
26 12-month period ending the preceding October 31 with the  
27 corresponding consumer price index of 1 year earlier. The

1 percentage increase or decrease shall then be multiplied by the  
2 current adjusted amount. The product shall be rounded up to the  
3 nearest multiple of \$1,000,000.00 and shall be the new adjusted  
4 amount. The department of treasury shall provide the adjusted  
5 amount upon request. As used in this section, "consumer price  
6 index" means the annual average percentage increase in the Detroit  
7 consumer price index for all items as reported by the United States  
8 department of labor.

9       Enacting section 1. This amendatory act does not take effect  
10 unless Senate Bill No. \_\_\_\_ or House Bill No. 5560 (request no.  
11 03796'13) of the 97th Legislature is enacted into law.