

HOUSE BILL No. 6016

December 2, 2014, Introduced by Rep. Price and referred to the Committee on Local Government.

A bill to amend 1986 PA 196, entitled "Public transportation authority act," by amending sections 5 and 7 (MCL 124.455 and 124.457).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) The adoption of articles of incorporation under
2 this act shall be evidenced by an endorsement on the articles of
3 incorporation by the clerk of each respective political
4 subdivision or by the recording officer of the incorporating
5 authority under section 3 in a form substantially as follows:

6 The foregoing articles of incorporation were adopted by an
7 affirmative vote of a majority of the members serving on the
8 governing or legislative body of _____,
9 at a meeting duly held on the _____ day of _____, A.D.,
10 19__.

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5 (2) ~~The~~ **BEFORE JANUARY 1, 2015, THE** articles of
6 incorporation shall be published by the person or persons
7 designated in the articles at least once in a newspaper
8 designated in the articles and circulated within the area
9 proposed to be served by the public authority. **BEGINNING JANUARY**
10 **1, 2015, THE ARTICLES OF INCORPORATION SHALL BE PUBLISHED BY THE**
11 **PERSON OR PERSONS DESIGNATED IN THE ARTICLES USING TIER B PUBLIC**
12 **NOTICE WITH A LINK AS PROVIDED IN THE LOCAL GOVERNMENT PUBLIC**
13 **NOTICE ACT.** One printed copy of the articles of incorporation
14 shall be filed with the secretary of state, the clerk of each
15 county to be served by the public authority, and the director of
16 the state transportation department by the person designated to
17 do so by the articles. The public authority shall become
18 operative and the articles of incorporation effective at the time
19 provided in the articles of incorporation. The validity of the
20 incorporation ~~shall be~~ **IS** conclusively presumed unless questioned
21 in a court of competent jurisdiction within 60 days after the
22 publication of the articles of incorporation.

23 Sec. 7. A political subdivision or a portion of a city,
24 village, or township bounded by lines described in section 4 may
25 become a member of a public authority after the public
26 authority's formation under this act upon resolution adopted by a
27 majority vote of the members elected to and serving on the

1 legislative body of the political subdivision requesting
2 membership for all or a portion of the political subdivision and
3 upon resolution adopted by a 2/3 vote of the members serving on
4 the board of the public authority approving an amendment to the
5 articles of incorporation of the public authority adding all or a
6 portion of the political subdivision. The amendment to the
7 articles of incorporation shall be executed by the clerk of the
8 political subdivision, all or a part of which is being added and,
9 **BEFORE JANUARY 1, 2015**, shall be filed and published in the same
10 manner as the original articles of incorporation. **BEGINNING**
11 **JANUARY 1, 2015, THE AMENDMENT TO THE ARTICLES OF INCORPORATION**
12 **SHALL BE PUBLISHED USING TIER B PUBLIC NOTICE WITH A LINK AS**
13 **PROVIDED IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT.**

14 Enacting section 1. This amendatory act does not take effect
15 unless Senate Bill No. ___ or House Bill No. 5560 (request no.
16 03796'13) of the 97th Legislature is enacted into law.