

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 481

A bill to amend 2000 PA 321, entitled
"Recreational authorities act,"
by amending section 11 (MCL 123.1141), as amended by 2003 PA 135,
and by adding section 12.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11. (1) An authority may levy a tax of not more than 1
2 mill for a period of not more than 20 years on all of the taxable
3 property within the territory of the authority for the purposes of
4 acquiring, constructing, operating, maintaining, and improving a
5 public swimming pool, public recreation center, public auditorium
6 or conference center, or public park. The authority may levy the
7 tax only upon the approval of a majority of the electors in each of
8 the participating municipalities of the authority voting on the tax
9 on November 6, 2001 or, thereafter, at a statewide general or

1 primary election. The proposal for a tax shall be submitted to a
2 vote of the electors of the authority by resolution of the board.

3 (2) A ballot proposal for a tax shall state the amount and
4 duration of the millage and the purposes for which the millage may
5 be used. A proposal for a tax shall not be placed on the ballot
6 unless the proposal is adopted by a resolution of the board and
7 certified by the board not later than 60 days before the election
8 to the county clerk of each county in which all or part of the
9 territory of the authority is located for inclusion on the ballot.
10 The proposal shall be certified for inclusion on the ballot at the
11 next eligible election, as specified by the board's resolution.

12 (3) If a majority of the electors in each of the participating
13 municipalities of the authority voting on the question of a tax
14 approve the proposal as provided under subsection (1), the tax levy
15 is authorized. Not more than 2 elections may be held in a calendar
16 year on a proposal for a tax authorized under this act.

17 (4) **THE PROCEEDS OF A TAX LEVIED UNDER THIS SECTION SHALL ONLY**
18 **BE USED BY THE AUTHORITY FOR THOSE PURPOSES DESCRIBED IN THIS**
19 **SECTION AND SHALL NOT BE USED BY THE AUTHORITY FOR EITHER OF THE**
20 **FOLLOWING:**

21 (A) **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5), ANY**
22 **GENERAL FUND PURPOSES BY ANY PARTICIPATING MUNICIPALITY.**

23 (B) **ANY SCHOOL OPERATING PURPOSES, AS THAT TERM IS DEFINED IN**
24 **SECTION 20 OF THE STATE SCHOOL AID ACT OF 1979, 1979 PA 94, MCL**
25 **388.1620, BY ANY PARTICIPATING MUNICIPALITY THAT IS A SCHOOL**
26 **DISTRICT.**

27 (5) **THE PROCEEDS OF A TAX LEVIED UNDER THIS SECTION MAY BE**

1 USED FOR GENERAL FUND PURPOSES BY A PARTICIPATING MUNICIPALITY IF
2 THE PROCEEDS USED ARE DIRECTLY RELATED TO MANAGING THE OPERATION OF
3 THE BUSINESS OF THE AUTHORITY PURSUANT TO A CONTRACT BETWEEN THE
4 AUTHORITY AND THAT PARTICIPATING MUNICIPALITY.

5 SEC. 12. IF A MAJORITY OF ELECTORS IN EACH OF THE
6 PARTICIPATING MUNICIPALITIES OF THE AUTHORITY VOTING ON THE
7 QUESTION OF A TAX AS PROVIDED IN SECTION 11 APPROVE THE TAX, THE
8 AUTHORITY SHALL CONSIDER OFFERING PREFERENCES OR BENEFITS FOR THE
9 RESIDENTS OF THE PARTICIPATING MUNICIPALITIES THAT INCLUDE, BUT ARE
10 NOT LIMITED TO, ANY OF THE FOLLOWING:

- 11 (A) DISCOUNTED ADMISSION FEES.
- 12 (B) DISCOUNTED MEMBERSHIP FEES.
- 13 (C) DISCOUNTS FOR SCHOOL CHILDREN.
- 14 (D) ACCESS TO EDUCATIONAL PROGRAMS.

15 Enacting section 1. This amendatory act takes effect 90 days
16 after the date it is enacted into law.

17 Enacting section 2. This amendatory act does not take effect
18 unless House Bill No. 4578 of the 98th Legislature is enacted into
19 law.