

# SENATE BILL No. 481

September 10, 2015, Introduced by Senators BOOHER and EMMONS and referred to the Committee on Local Government.

A bill to amend 2000 PA 321, entitled "Recreational authorities act," by amending sections 3 and 11 (MCL 123.1133 and 123.1141), as amended by 2003 PA 135, and by adding section 12.

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

1           Sec. 3. As used in this act:

2           (a) "Articles" means the articles of incorporation of an  
3 authority.

4           (b) "Authority" means a recreational authority established  
5 under section 5.

6           (c) "Board" means the board of directors of the authority.

7           (d) "District" means a portion of a municipality having  
8 boundaries coterminous with those of a precinct used for general  
9 elections.

10           (e) "Electors of the authority" means the qualified and

1 registered electors of the participating municipalities who reside  
2 within the territory of the authority.

3 (f) "Largest county" means, of those counties in which a  
4 participating municipality is located, the county having the  
5 greatest population.

6 (g) "Municipality" means a city, county, village, ~~or~~ township,  
7 **OR SCHOOL DISTRICT.**

8 (h) "Park" means an area of land or water, or both, dedicated  
9 to 1 or more of the following uses:

10 (i) Recreational purposes, including, but not limited to,  
11 landscaped tracts; picnic grounds; playgrounds; athletic fields;  
12 camps; campgrounds; zoological and botanical gardens; living  
13 historical farms; boating, hunting, fishing, and birding areas;  
14 swimming areas; and foot, bicycle, and bridle paths.

15 (ii) Open or scenic space.

16 (iii) Environmental, conservation, nature, or wildlife areas.

17 (i) "Participating municipality" means a municipality or  
18 district that is named in articles of incorporation or proposed  
19 articles of incorporation as joining in the original establishment  
20 of an authority, or a municipality or district that joins an  
21 existing authority and is added to the articles of incorporation,  
22 and that has not withdrawn from the authority.

23 (j) "Public historic farm" means a parcel of public land and  
24 its buildings that are accessible to the public, and provides, but  
25 is not limited to, agricultural and historical programs, farming  
26 activities and animal husbandry, community recreation activities  
27 and events, programs held in common areas, meeting rooms, and

1 community gardens, and access to surrounding parkland.

2 (k) "Swimming pool" includes equipment, structures, areas, and  
3 enclosures intended for the use of individuals using or operating a  
4 swimming pool, such as equipment, dressing, locker, shower, and  
5 toilet rooms.

6 (l) "Territory of the authority" means the combined territory  
7 of the participating municipalities that is served by an authority.

8 Sec. 11. (1) An authority may levy a tax of not more than 1  
9 mill for a period of not more than 20 years on all of the taxable  
10 property within the territory of the authority for the purposes of  
11 acquiring, constructing, operating, maintaining, and improving a  
12 public swimming pool, public recreation center, public auditorium  
13 or conference center, or public park. The authority may levy the  
14 tax only upon the approval of a majority of the electors in each of  
15 the participating municipalities of the authority voting on the tax  
16 on November 6, 2001 or, thereafter, at a statewide general or  
17 primary election. The proposal for a tax shall be submitted to a  
18 vote of the electors of the authority by resolution of the board.

19 (2) A ballot proposal for a tax shall state the amount and  
20 duration of the millage and the purposes for which the millage may  
21 be used. A proposal for a tax shall not be placed on the ballot  
22 unless the proposal is adopted by a resolution of the board and  
23 certified by the board not later than 60 days before the election  
24 to the county clerk of each county in which all or part of the  
25 territory of the authority is located for inclusion on the ballot.  
26 The proposal shall be certified for inclusion on the ballot at the  
27 next eligible election, as specified by the board's resolution.

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

6           (4) THE PROCEEDS OF A TAX LEVIED UNDER THIS SECTION SHALL ONLY  
7 BE USED FOR THOSE PURPOSES DESCRIBED IN SUBSECTION (1) AND SHALL  
8 NOT BE USED FOR ANY GENERAL FUND PURPOSES BY ANY PARTICIPATING  
9 MUNICIPALITY.

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

- 16           (A) DISCOUNTED ADMISSION FEES.  
17           (B) DISCOUNTED MEMBERSHIP FEES.  
18           (C) DISCOUNTS FOR SCHOOL CHILDREN.  
19           (D) ACCESS TO EDUCATIONAL PROGRAMS.

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