

HOUSE BILL NO. 6362

November 12, 2020, Introduced by Rep. Steven Johnson and referred to the Committee on Government Operations.

A bill to amend 1871 PA 164, entitled
"An act to provide for vacating cemetery plats and cemetery grounds
in the limits of incorporated cities and villages,"
by amending section 2 (MCL 128.42).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. ~~That such petition shall be made in behalf of said~~
2 ~~trustees or common council by an attorney or agent appointed by~~
3 ~~them for that purpose, who shall file a petition signed and sworn~~
4 ~~to by him in the office of the register of said court for the~~

~~proper county, which petition shall set forth his authority as attorney or agent, the particular reasons for making and filing such petition and a distinct description of the premises on which such cemetery is located, which petition shall be filed as aforesaid 30 days previous to the first day of the term for which such petition shall be noticed for hearing. That notice of the pendency and hearing of such petition shall be given for the same space of time by publishing the same in a newspaper published in the proper county once in each week for 4 successive weeks prior to the first day of the term when such case is noticed for hearing.~~ **The petition under section 1 must set forth the authority of the individual filing the petition on behalf of the city or village, the reasons for the petition, and a specific description of the premises where the cemetery is located. The petition must be signed and sworn to in the office of the county clerk by the individual filing the petition. The court shall conduct a hearing on the petition. The city or village shall give notice of the hearing on the petition as follows:**

(a) If the hearing is held before January 1, 2022, notice must be given by publication in a newspaper of general circulation in the county once each week for 4 successive weeks before the hearing.

(b) If the hearing is held after December 31, 2021, not more than 30 days and not less than 14 days before the date of the hearing notice must be posted as provided in public notice under the local government public notice act.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. ____ or House Bill No. 6440 (request no. 02449'19) of the 100th Legislature is enacted into law.