

SENATE BILL NO. 311

May 09, 2019, Introduced by Senator ALEXANDER and referred to the Committee on Government Operations.

A bill to amend 2012 PA 436, entitled
"Local financial stability and choice act,"
by amending section 32 (MCL 141.1572) and by adding section 14a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 14a. If any proposed action or decision by an emergency
2 manager could potentially create a hazard to the public health,
3 safety, or welfare of the residents of the local government in

1 which the emergency manager is appointed, the governing body of
2 that local government may review the proposed action or decision
3 and has the right to appeal the proposed action or decision to the
4 governor for approval or disapproval.

5 Sec. 32. (1) ~~This~~ Except as otherwise provided in subsection
6 (2), this act does not impose any liability or responsibility in
7 law or equity upon this state, any department, agency, or other
8 entity of this state, or any officer or employee of this state, or
9 any member of a receivership transition advisory board, for any
10 action taken by any local government under this act, for any
11 violation of the provisions of this act by any local government, or
12 for any failure to comply with the provisions of this act by any
13 local government. A cause of action against this state or any
14 department, agency, or entity of this state, or any officer or
15 employee of this state acting in his or her official capacity, or
16 any membership of a receivership transition advisory board acting
17 in his or her official capacity, may not be maintained for any
18 activity authorized by this act, or for the act of a local
19 government filing under chapter 9, including any proceeding
20 following a local government's filing.

21 (2) If a local government is placed in receivership with an
22 appointed emergency manager and that local government incurs any
23 additional debt or liability, excluding interest on existing debt
24 or liabilities, that is over the amount of the debt or liabilities
25 that existed for that local government on the date the local
26 government was placed in receivership, this state shall reimburse
27 that local government for the amount of the additional debt or
28 liability incurred by an appropriation as provided by law.