STATE OF MICHIGAN

101ST LEGISLATURE

REGULAR SESSION OF 2022

Introduced by Senators Schmidt, Zorn, Polehanki, Daley and Moss

ENROLLED SENATE BILL No. 821

AN ACT to amend 1988 PA 57, entitled "An act to provide for the incorporation by 2 or more municipalities of certain authorities for the purpose of providing emergency services to municipalities; to provide for the powers and duties of authorities and of certain state and local agencies and officers; to provide for certain condemnation proceedings; to provide for fees; to provide for the levy of property taxes for certain purposes; and to prescribe penalties and provide remedies," by amending the title and section 9 (MCL 124.609), the title as amended by 2011 PA 261 and section 9 as amended by 2006 PA 652, and by adding section 9a.

The People of the State of Michigan enact:

TITLE

An act to provide for the incorporation by 2 or more municipalities of certain authorities for the purpose of providing emergency services to municipalities; to provide for the powers and duties of authorities and of certain state and local agencies and officers; to provide for certain condemnation proceedings; to provide for fees; to

provide for the levy of property taxes for certain purposes; to authorize the issuance of bonds, notes, and other evidences of indebtedness; and to prescribe penalties and provide remedies.
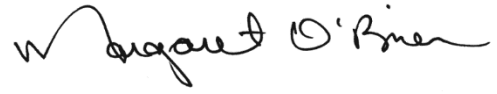
Sec. 9. An authority, in addition to its other powers and duties, may do all of the following:

(a) Adopt bylaws and rules of administration to accomplish the purposes of this act.

(b) Adopt ordinances that allow the authority to assess fees on owners or occupants of property who receive emergency services to cover the costs of providing emergency services under this act. An ordinance adopted under this subdivision must be rescinded if, within 60 days after the date the ordinance is adopted, 1/3 or more of the municipalities affected by the ordinance vote to rescind the ordinance.

(c) Apply for and accept grants, loans, or contributions from the federal government or any of its agencies, this state, or other public or private agencies to be used for any of the purposes of this act and to do any and all things within its express or implied powers necessary or desirable to secure that financial or other aid or cooperation in the carrying out of any of the purposes of this act.

(d) Enter into any contracts with other entities not prohibited by law.

(e) Investigate emergency services requirements, needs, and programs and engage, by contract, consultants as are necessary and cooperate with the federal government, state, political subdivisions, and other authorities in those investigations.

(f) Subject to section 10, hire employees, attorneys, accountants, and consultants as the authority considers necessary to carry out the purposes of the authority.

(g) Enter into a contract or agreement for the purchase of real or personal property for public purposes, to be paid for in installments over a period not to exceed 15 years or the useful life of the property acquired, whichever is less. Real or personal property purchased under this act may serve as collateral in support of the purchase, contract, or agreement.
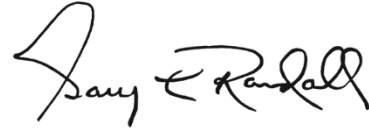
Sec. 9a. (1) An authority may borrow money and issue its negotiable bonds or notes to finance any of the following for authority purposes:

(a) The acquisition, construction, and furnishing of buildings or facilities or portions of buildings or facilities.

(b) The acquisition of necessary property.

(c) The acquisition and installation of necessary equipment.

(2) An authority may issue general obligation unlimited tax bonds upon approval of a majority of the electors in the jurisdictional limits of the authority voting on the question of issuing the bonds. The proposal to issue general obligation unlimited tax bonds must be submitted to a vote of the electors of the authority by resolution of the board of the authority. The resolution must contain the language of the ballot proposal.

(3) The election for a bond proposal described in subsection (2) must be conducted and canvassed in the same manner as an election on a millage proposal as described in section 12 and in accordance with the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992. The results of the election must be certified to the governing body of the authority promptly after the date of the election. Not more than 1 election may be held in the jurisdictional limits of an authority in a calendar year for approval of a bond issue authorized under subsection (2).

(4) If an authority issues general obligation unlimited tax bonds under subsection (2), the board, by resolution, shall authorize and levy the taxes necessary to pay the principal of and interest on the bonds.

(5) An authority may issue limited tax bonds or notes by resolution of the board without submitting the question to the electors in the jurisdictional limits of the authority.

(6) Bonds or notes issued by an authority are a debt of the authority and not of the incorporating municipalities. If an incorporating municipality withdraws from an authority, taxes imposed or levied for payment of bonds approved as provided in this act before the adoption of the resolution to withdraw must continue to be levied within the district as if the municipality did not withdraw from the authority until the principal of and interest on those bonds are paid in full.

(7) An authority shall not borrow money or issue bonds or notes for a sum that, together with the total outstanding bonded indebtedness of the authority, exceeds 5% of the state equalized valuation of the taxable property within the jurisdictional limits of the authority.

(8) All bonds or notes issued by an authority under this act are subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

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This act is ordered to take immediate effect.

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Secretary of the Senate

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Clerk of the House of Representatives

Approved_____

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Governor