HOUSE BILL NO. 6341

September 23, 2026, Introduced by Reps. Brixie, Miller, Hope and Conlin and referred to Committee on Government Operations.

A bill to amend 1909 PA 279, entitled

"The home rule city act,"

by amending section 9 (MCL 117.9), as amended by 2004 PA 137.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 9. (1) In the event of a conflict between the provisions of this act and 1968 PA 191, MCL 123.1001 to 123.1020, regarding an incorporation or consolidation, the provisions of 1968 PA 191, MCL 123.1001 to 123.1020, shall govern. The district to be affected by the proposed incorporation, consolidation, or change of boundaries is considered to include the whole of each city, village, or township from which territory is to be taken or to which territory

is to be annexed. ~~When~~ **If** a territory is proposed to be incorporated as a city only the residents of the territory to be incorporated shall vote on the question of incorporation. ~~When~~ **If** a petition signed by the appropriate agency designated by the state administrative board ~~which~~ **that** holds legal title to the entire area of the land in the territory adjacent to the city to be annexed ~~,~~ is filed with the governing body of the city and township in which the territory is situated, the annexation may be accomplished by the affirmative majority vote of the governing body of the city and the approval of the township board of the township.

(2) Except as provided in subsections (1) and (8), a petition or resolution for annexation of territory ~~shall~~ **must** be filed with the state boundary commission created under 1968 PA 191, MCL 123.1001 to 123.1020. The commission, after determining the validity of the petition or resolution, shall hold a public hearing in or reasonably near the area proposed for annexation. The commission in processing and approving, denying, or revising a petition or resolution for annexation ~~shall have~~ **has** the same powers and duties as provided under 1968 PA 191, MCL 123.1001 to 123.1020, relating to petitions ~~which~~ **that** propose incorporations. In addition to providing notice to property owners located in the area proposed for annexation, the commission shall also give notice of each public hearing held under this subsection to property owners located within 300 feet of the area proposed for annexation by certified mail not less than 30 days before the date of the public hearing. Not less than 45 days before the date of the public hearing, the local unit of government capable of producing the information required under this section shall provide the state boundary commission with a list of the names and addresses of all

persons the commission is required to provide notice to under this subsection. The commission is required to provide notice only to the property owners included on the list provided by the local unit of government as required under this section.

(3) If an annexation is denied by the commission, the commission shall send a certified copy of its order to the clerk of each county, city, village, and township affected.

(4) If an annexation is approved, and if on the date the petition or resolution was filed 100 persons or ~~less~~ **fewer** resided in the area approved for annexation, the ~~commission's order shall not be subject to a referendum. The commission shall send a certified copy of its order to the clerk of each county, city, village, and township affected and to the secretary of state. The annexation shall be effective on a date set forth in the commission's order.~~**commission shall send a certified copy of its order to the clerk of each county, city, village, and township affected and to the secretary of state. The commission's order is final 30 days after the date of the order unless within that 30 days a petition is filed with the commission that is signed by a number of registered electors residing in the portion of the territory approved for annexation or in the annexing city equal to not less than 25% of the number of votes cast for all candidates for governor at the last preceding general election at which a governor was elected within the portion of the territory approved for annexation or in the annexing city. The commission, after verifying the validity of any referendum petition, shall order that a referendum on the question of annexation be held in each area from which a valid petition was filed. If a valid petition is not filed within the 30 days or if the majority of the electorate**

voting on the question in each area in which a referendum was held, voting separately, approve the annexation, the annexation is effective on a date set by order of the commission, otherwise the annexation does not take effect.

(5) If an annexation is approved, and if on the date the petition or resolution was filed more than 100 persons resided in the area approved for annexation, the commission shall send a certified copy of its order to the clerk of each county, city, village, and township affected and to the secretary of state. The commission's order ~~shall become~~ **is** final 30 days after the date of the order unless within that 30 days a petition is filed with the commission ~~which contains the signatures of at least 25% of the~~ **that is signed by a number of** registered electors residing in the portion of the territory approved for annexation, in the annexing city, or in the balance of the township **equal to not less than 25% of the number of votes cast for all candidates for governor at the last preceding general election at which a governor was elected within the portion of the territory approved for annexation, in the annexing city, or in the balance of the township**. The commission, after verifying the validity of any referendum petition, shall order that a referendum on the question of annexation be held in each area from which a valid petition was filed. If a valid petition is not filed within the 30 days or if the majority of the electorate voting on the question in each area in which a referendum was held, voting separately, approve the annexation, the annexation ~~shall be~~ **is** effective on a date set by order of the commission, otherwise the annexation ~~shall~~ **does** not take effect.

(6) The commission shall reject a petition or resolution for annexation of territory that includes all or any part of the

territory ~~which~~ **that** was described in any petition or resolution for annexation filed within the preceding 2 years and ~~which~~ **that** was denied by the commission or was defeated in an election under ~~subsection (5).~~**subsection (4) or (5).**

(7) In addition to the methods for initiating annexation as provided in this act, a petition or resolution as follows may be submitted to the state boundary commission in a form and manner prescribed by the commission:

(a) By resolution of the legislative body of the city to which the area is proposed to be annexed.

(b) By petition by the persons, firms, corporations, the United States government, or ~~the~~ **this** state or any of its subdivisions ~~who~~ **that** collectively hold equitable title as a vendee under a recorded land contract or memorandum of land contract, or record title to 75% or more of the area of the land exclusive of streets in the territory proposed for annexation at the time of filing the petition.

(c) By petition by 20% of the registered electors who reside in the area proposed for annexation.

(8) Where the territory proposed to be annexed to any city is adjacent to the city and consists of a park or vacant property located in a township and owned by the city annexing the territory, and there is no one residing in the territory, the territory may be annexed to the city solely by resolution of the ~~city council~~ **legislative body** of the city. In any case where the territory proposed to be annexed is adjacent to the city and consists of property owned by the city or consists of fractional parts of platted subdivision lots, located in an adjoining city, village, or township, the annexation may also be accomplished by the majority

vote of the legislative body of the city and the approval of the legislative body of the adjoining city, village, or township. As an alternate method, where there are no qualified electors residing in the territory proposed to be annexed to the city, other than the person or persons petitioning, a petition signed by a person or persons, firms, corporations, the United States government, or the state or any of its subdivisions who collectively hold the equitable title as a vendee under a recorded land contract or memorandum of land contract, or record legal title to more than 1/2 of the area of the land in the territory to be annexed is filed with the ~~city council~~ **legislative body** of the city and with the township board of the township in which the territory is situated, the annexation may be accomplished by the affirmative majority vote of the ~~city council~~ **legislative body** of the city and the approval of the township board of the township. At least 10 days ~~prior to~~ **before** the approval by the township board, the township treasurer shall notify, personally or by registered mail with return receipt demanded, the owners of all real property in the territory to be annexed as shown on the assessment rolls of the township at the last known address on file with the township treasurer. Except as otherwise provided, this section ~~shall~~ **must** not be construed to give any city the authority to attach territory from any other city unless the question relative to the territory has been voted ~~upon~~ **on** by the voters of the entire cities affected where the territory proposed to be annexed is adjacent to a city and consists of property owned by the city or consists of fractional parts of platted subdivision lots, located in an adjoining city.

(9) The provisions of section 14 ~~shall~~ **are** not ~~be~~ applicable to an annexation approved by the commission of part of a township

or village to a city except in the event of outstanding bonds or other evidences of indebtedness of the township or village. In such event, the commission shall determine and order an equitable division of assets and liabilities which relate to the bonds or other indebtedness.

(10) The provisions of sections 8 and 8a ~~shall~~ **are** not ~~be~~ applicable to petitions or resolutions filed with the state boundary commission.

(11) After March 31, 1971, and so long as 1968 PA 191, MCL 123.1001 to 123.1020, is in effect, annexation of territory from a township or village to a home rule city ~~shall be~~ **is** as provided in this section and no other means of annexation ~~shall be~~ **is** effective.

(12) The state boundary commission shall mail a copy of any final order issued under this section to each property owner the commission is required to provide notice to under subsection (2).