

# HOUSE BILL No. 5528

February 21, 1990, Introduced by Rep. Bender and referred to the Committee on Education.

A bill to amend section 922 of Act No. 451 of the Public Acts of 1976, entitled as amended

"The school code of 1976,"

being section 380.922 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 922 of Act No. 451 of the Public Acts of  
2 1976, being section 380.922 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4       Sec. 922. (1) If ~~the~~ A constituent district fails to  
5 comply with either of the requirements of section 921, the inter-  
6 mediate school board, upon the approval of the state board, shall  
7 annex or attach the district either totally or in part to 1 or  
8 more operating school districts pursuant to the following  
9 procedures:

1 (a) ~~Within~~ NOT LATER THAN 30 days after the expiration of  
2 the 1-year period DESCRIBED IN SECTION 921, the intermediate  
3 school board shall hold a hearing to determine facts and shall  
4 make recommendations regarding the attachment of the constituent  
5 district, or parts ~~thereof~~ OF THE CONSTITUENT DISTRICT, to  
6 ~~another~~ 1 OR MORE OPERATING school ~~district or~~ districts.  
7 ~~which operate school.~~ At least 5 days before the hearing,  
8 notice of the hearing shall be given to the secretary of ~~each~~  
9 ~~of the boards~~ BOARD of EACH school ~~districts~~ DISTRICT whose  
10 boundaries are affected by the proposed attachment of territory  
11 of the closed school district.

12 (b) ~~Within~~ NOT LATER THAN 30 days after the hearing  
13 DESCRIBED IN SUBDIVISION (A), the intermediate school board shall  
14 issue a written order regarding the attachment of the closed  
15 school district either totally or in part to 1 or more operating  
16 school districts. The order shall indicate the date on which the  
17 annexation or property attachment is to take place. ~~A~~ THE  
18 INTERMEDIATE SCHOOL BOARD SHALL TRANSMIT A copy of the order  
19 ~~shall be transmitted by the intermediate school board~~ to the  
20 secretary of the board ~~of education~~ of each school district  
21 whose boundaries are changed by the order. The order has full  
22 effect in law on all AFFECTED school districts ~~concerned~~ unless  
23 an appeal is taken under this section.

24 (c) ~~Within~~ NOT LATER THAN 20 days after receipt of the  
25 order DESCRIBED IN SUBDIVISION (B), a school district affected by  
26 the order shall comply with the order MADE BY THE INTERMEDIATE

1 SCHOOL DISTRICT or appeal to the state board for a review of the  
2 order. ~~made by the intermediate school board.~~

3 (2) ~~The state board, within~~ NOT LATER THAN 90 days after  
4 the receipt of an appeal from 1 or more of the affected school  
5 districts, THE STATE BOARD shall confirm the order MADE UNDER  
6 SUBSECTION (1) or hold a hearing on the basis of the appeal.  
7 ~~Within~~ NOT LATER THAN 60 days after the hearing, the state  
8 board shall ratify or amend the order of the intermediate school  
9 board. An order issued by the state board under this subsection  
10 shall have full effect in law.

11 (3) As of the date of attachment, territory attached to an  
12 operating school district ~~shall be~~ IS a part of that district  
13 for all purposes, including the levy of all taxes, except taxes  
14 levied for the retirement of outstanding bonded indebtedness.  
15 FOR TERRITORY ATTACHED TO AN OPERATING SCHOOL DISTRICT AFTER  
16 JANUARY 1, 1990, THE TERRITORY IS SUBJECT TO THE LEVY OF TAXES  
17 LEVIED FOR THE RETIREMENT OF OUTSTANDING BONDED INDEBTEDNESS AND  
18 ALL OTHER TAXES LEVIED BY THE OPERATING SCHOOL DISTRICT.

19 (4) ~~A~~ IN ADDITION TO ANY APPLICABLE PENALTY UNDER ARTICLE  
20 4, A school district ~~which~~ THAT fails to comply with an order  
21 of the intermediate school board or the state board UNDER THIS  
22 SECTION shall forfeit all financial benefits to which ~~it~~ THE  
23 DISTRICT might be entitled under legislative appropriations for  
24 school aid purposes.