

# HOUSE BILL No. 4657

March 27, 1991, Introduced by Rep. Willis Bullard and referred to the Committee on Towns and Counties.

A bill to amend section 2 of chapter 16 of the Revised Statutes of 1846, entitled as amended

"Of the powers and duties of townships, the election and duties of township officers, and the division of townships,"

as amended by Act No. 77 of the Public Acts of 1989, being section 41.2 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 2 of chapter 16 of the Revised Statutes  
2 of 1846, as amended by Act No. 77 of the Public Acts of 1989,  
3 being section 41.2 of the Michigan Compiled Laws, is amended to  
4 read as follows:

5       Sec. 2. (1) The inhabitants of an organized township are a  
6 body corporate and have, in addition to other powers that are  
7 conferred, ALL OF the following powers and duties:

1 (a) To sue and be sued and appoint necessary agents and  
2 attorneys for that purpose.

3 ~~(b) To purchase and hold real and personal property for the~~  
4 ~~public use of the inhabitants and to convey, alienate, and dis-~~  
5 ~~pose of the real and personal property.~~

6 (B) ~~(c)~~ To make contracts necessary and convenient for the  
7 exercise of their corporate powers.

8 ~~(d) To order the disposal of their corporate property that~~  
9 ~~they may judge expedient.~~

10 (2) ~~The township board has, in~~ IN addition to other powers  
11 that are conferred, the ~~power to~~ TOWNSHIP BOARD MAY investigate  
12 any matter that is under the jurisdiction of the township and the  
13 authority vested in the township or an officer under this act.  
14 The supervisor or the township board by majority consent of the  
15 township board members serving may serve upon a person a subpoena  
16 that has been authorized by a court of proper jurisdiction in the  
17 county in which the township is situated compelling the person to  
18 appear before the board or a committee of the board to be  
19 examined under oath or to produce a document or object for  
20 inspection or copying. If a person objects to or otherwise fails  
21 to comply with the subpoena served upon him or her, the supervi-  
22 sor or the township board by majority consent of the township  
23 board members may file in that court an action to enforce the  
24 notice. The court may issue an order requiring the person to  
25 appear to be examined or to produce a document or object for  
26 inspection or copying. Failure to obey the order of the court is  
27 punishable by the court as a contempt.

1       (3) BY RESOLUTION OF THE TOWNSHIP BOARD, A MAJORITY OF THE  
2 MEMBERS SERVING MAY ACQUIRE PROPERTY FOR PUBLIC PURPOSES BY PUR-  
3 CHASE, GIFT, CONDEMNATION, LEASE, CONSTRUCTION, OR OTHERWISE AND  
4 MAY CONVEY OR LEASE THAT PROPERTY OR PART OF THAT PROPERTY NOT  
5 NEEDED FOR PUBLIC PURPOSES.

6       (4) ~~(3) All suits, acts, or proceedings~~ A SUIT, ACT, OR  
7 PROCEEDING, by or against a township, in its corporate capacity,  
8 shall be in the name of the township. The supervisor of each  
9 township shall be the agent for his or her township for the  
10 transaction of ~~all~~ legal business, by whom ~~suits~~ A SUIT may  
11 be brought and defended, and upon whom process against the town-  
12 ship shall be served.