



HOUSE BILL No. 5407

March 10 1994 Introduced by Reps Vorva Hill Jamian Kukuk Gustafson Galloway Goschka, Brackenridge McManus Horton Kaza Martin Lowe Jaye Voorhees Shugars McNutt Dobb Berman Rocca Baade Barns Freeman Olshove Harder Bankes Bullard Nye Middleton Jersevic Gernaat and Llewellyn and referred to the Committee on State Affairs

A bill to require the publication of notice regarding the purchase of real property by the state

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Sec 1 A state department or agency shall not purchase
2 real property on behalf of this state unless notice of the
3 state s intention to purchase that real property is published as
4 provided in section 2 and a public hearing is held as provided in
5 section 3

6 Sec 2 A notice required under this act shall be published
7 at least once in a newspaper as defined in section 1461 of the
8 revised judicature act of 1961, Act No 236 of the Public Acts of
9 1961, being section 600 1461 of the Michigan Compiled Laws The
10 newspaper shall be published in the county where the real
11 property is located If a newspaper is not published in the
12 county where the real property is located, the notice shall be

1 published in a newspaper in a county nearest to the county in
2 which the real property is located The notice shall describe
3 the general location of the real property to be purchased The
4 notice shall include the date and place of the public hearing
5 required under section 3 and the name, telephone number, and
6 address of the state department or agency that intends to pur-
7 chase the real property

8 Sec 3 Not sooner than 30 days after notice is published
9 under section 2, the state department or agency shall hold a
10 public hearing regarding the proposed purchase in the city, vil-
11 lage, or township in which the real property is located The
12 state department or agency shall participate in the hearing and
13 shall make a reasonable effort to respond in writing to concerns
14 and questions raised on the record at the hearing The public
15 hearing shall be open to the public and shall be held in a place
16 available to the general public Any person shall be permitted
17 to attend a hearing A person shall not be required as a condi-
18 tion to attendance at a hearing to register or otherwise provide
19 his or her name or other information or otherwise to fulfill a
20 condition precedent to attendance A person shall be permitted
21 to address the hearing under written procedures established by
22 the department A person shall not be excluded from a hearing
23 except for a breach of the peace actually committed at the
24 meeting

25 Sec 4 A state department or agency shall not purchase the
26 real property that is the subject of the public hearing held
27 under section 3 until at least 60 days after the date of the

1 public hearing The state department or agency may, before the
2 date determined under this section, obtain an option to purchase
3 the real property, but shall not exercise that option until after
4 the date determined under this section

5 Sec 5 This act does not apply to property that vests in
6 the state by means other than purchase, including, but not
7 limited to, grant, devise, gift, or reversion for nonpayment of
8 taxes