

**A SUMMARY OF HOUSE BILL 5931 AS INTRODUCED 6-11-98**

The bill would amend the Home Rule City Act to specify that the following conditions must be met if territory is to be detached from a city:

-- the territory was annexed to the city not less than five years prior to the date it is to be detached;

-- the city has not provided infrastructure improvements in the territory to be detached;  
and

-- the detachment is approved by the majority vote of the qualified electors residing in the territory to be detached and by a majority vote of the qualified electors in the remaining portion of the city counted separately.

-- the territory to be detached was annexed to the city after the city was incorporated;

-- the territory is to be reattached to the municipality from which it was annexed;

-- the city does not provide water service, sewer service, or other utilities in the territory;

-- the council of the city from which the territory is being detached approves a resolution authorizing the detachment and confirming an agreement relating to the detachment; and

-- the legislative body of the municipality from which the territory was annexed approves a resolution authorizing detachment of the territory and confirming an agreement related to the detachment.

The bill would add the first three conditions to the act. The act currently says, "In addition to the detachment procedures otherwise authorized by this act, territory may be detached from a city if all the following conditions are met," and then lists the final five conditions. That language would be removed by the bill, which would instead specify that detachment could occur "only if" all of the conditions cited above are met.

MCL 117.6 and 117.9b

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.