

Act No. 201
Public Acts of 1998
Approved by the Governor
June 25, 1998
Filed with the Secretary of State
June 26, 1998

EFFECTIVE DATE: 91st day after final adjournment of 1998 Regular Session

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Reps. Brewer, Brackenridge and Dobronski

ENROLLED HOUSE BILL No. 5156

AN ACT to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; and to provide methods for abolition of a unified form of county government," by amending the title and section 23 (MCL 45.573), section 23 as amended by 1980 PA 100, and by adding section 3a.

The People of the State of Michigan enact:

TITLE

An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies.

Sec. 3a. A petition under section 3 or 23, including the circulation and signing of the petition, is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488. A person who violates a provision of the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, applicable to a petition described in this section is subject to the penalties prescribed for that violation in the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

Sec. 23. An optional unified form of county government may be abolished in the following manner:

(a) After a period of 4 years from the date an optional unified form of county government originally becomes effective, the board of county commissioners of the county, by a 2/3 vote of those members elected and serving, may abolish the form and elect to be governed by the provisions of the general county law then in force. The abolition then shall be submitted to the electorate of the county for approval or disapproval at the next regular primary or general election occurring within the county. If a majority of votes cast on the proposal at the election approve the abolition, the optional unified form of county government shall be abolished in the county effective 180 days after the date of the election.

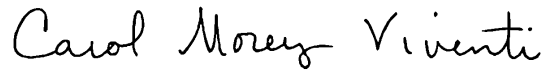
(b) Upon adoption by the voters of the county of a home rule charter.

(c) After a period of 4 years from the date an optional unified form of county government containing alternate A or alternate B originally becomes effective, if the board of county commissioners of the county does not exercise its discretion to abolish the form, a petition, signed by registered electors of the county equal to not less than 10% of the total number of persons voting in the last previous election for which votes were cast for governor, may be filed with the clerk-register or clerk requesting abolition of the form. Upon the clerk-register or clerk certifying to the board that a proper petition has been filed, the board shall submit the question of abolishing the optional unified form of county government to the electorate of the county for approval or disapproval at the next regular primary or general election occurring within the county. If a majority of votes cast on the proposal at the election approve the abolition, the optional unified form of county government shall be abolished in the county effective 180 days after the date of the election.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 5138 of the 89th Legislature is enacted into law.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved -----

Governor.