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## HOME RULE VILLAGE PROCEDURES FOR ANNEXATION

### House Bill 4676

**Sponsor: Rep. Larry DeVuyst**  
**Committee: Local Government and  
Urban Policy**

**Complete to 6-7-99**

### A SUMMARY OF HOUSE BILL 4676 AS INTRODUCED 5-13-99

House Bill 4676 would amend Public Act 278 of 1909, the Home Rule Village Act, to revise annexation procedures.

Under current law, the procedure is as follows: a proposed incorporation of new territory, consolidation, or change of boundary is stated on a petition, filed with the county clerk, and certified by the county board of supervisors (now more commonly called the county board of commissioners). If the petition is accurate, the board adopts a resolution to submit the matter to the voters of the district to be affected. A 'district to be affected' includes the whole of each city, village, or township from which territory is to be taken or to which territory is to be annexed. The law stipulates that the township must conduct the election in such a way that the votes of the electors in the territory proposed to be incorporated or annexed or detached, are in a separate box from the box containing the votes from the remaining portions of the city, village, or township. If the majority of the voters in the district that is proposed to be incorporated or annexed, voting separately, are in favor, and if a majority of the electors voting in the remainder of the district to be affected, voting collectively, are in favor, then the territory is incorporated as a village.

House Bill 4676 would require that in an election for a proposed annexation or consolidation, the city, village, or township record separately the votes of the qualified voters in the territory proposed for annexation, and those from voters in the balance of the city, village, or township in which the proposed territory is located, and from voters in the city, village, or township to which the territory would be annexed or consolidated. The annexation or consolidation would be considered defeated if a majority in any jurisdiction, all voting separately, voted against the annexation.

House Bill 4676 also would update the language of the 92-year-old statute, including changing its references to county boards of supervisors to county boards of commissioners.

MCL 78.4 and 78.5

Analyst: J. Hunault

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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.