

Senate Fiscal Agency  
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Lansing, Michigan 48909-7536

**SFA****BILL ANALYSIS**

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House Bill 5008 (Substitute S-1 as reported)  
House Bill 5009 (Substitute S-1 as reported)  
House Bill 5010 (Substitute S-1 as reported)  
Sponsor: Representative Larry Julian (House Bill 5008)  
Representative Ruth Jamnick (House Bill 5009)  
Representative Sue Tabor (House Bill 5010)  
House Committee: Local Government and Urban Policy  
Senate Committee: Judiciary

## **CONTENT**

The bills would amend various acts to authorize local units of government to adopt by reference a provision of State law that is punishable by up to 93 days' imprisonment or the Michigan Vehicle Code. The bills would prohibit local units from enforcing any provision adopted by reference for which the maximum period of imprisonment is greater than 93 days.

House Bill 5008 (S-1) would amend Public Act 246 of 1945, which authorizes township boards to adopt ordinances, to allow a township to adopt a provision of any State statute for which the maximum period of imprisonment is 93 days or the Michigan Vehicle Code, by reference in an adopting ordinance. The adopted State statute would have to be identified clearly in the adopting ordinance, and a statement of the statute's purpose would have to be published with the adopting ordinance or with the published summary of the adopting ordinance. Copies of the statute adopted by reference would have to be kept in the township clerk's office and be available for inspection by and distribution to the public.

House Bill 5009 (S-1) would amend the Home Rule Village Act to specify that, notwithstanding any charter provision to the contrary, a village could adopt an ordinance punishable by up to 93 days' imprisonment and/or a maximum fine of \$500, if the violation substantially corresponded to a violation of State law that was a misdemeanor punishable by imprisonment for up to 93 days. The bill also would authorize a village to adopt by reference a provision of any State statute for which the maximum period of imprisonment is 93 days or the Michigan Vehicle Code.

House Bill 5010 (S-1) would amend the General Law Village Act to authorize a village to adopt by reference a provision of any State statute for which the maximum period of imprisonment is 93 days and the Michigan Vehicle Code.

MCL 41.181 et al. (H.B. 5008)  
78.23 (H.B. 5009)  
66.4 (H.B. 5010)

Legislative Analyst: P. Affholter

## **FISCAL IMPACT**

Local units that adopted provisions of State laws, as specified in the bills, would minimally reduce costs associated with publishing the local ordinance. The bills would have no fiscal impact on State government.

Date Completed: 12-6-99

Fiscal Analyst: R. Ross