

# SENATE BILL No. 853

October 26, 1999, Introduced by Senator EMMONS and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1968 PA 191, entitled

"An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation, and annexation; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,"

by amending section 11b (MCL 123.1011b), as added by 1982 PA 192.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SENATE BILL No. 853

1       Sec. 11b. (1) If the commission, after determining the  
2 validity of a petition or resolution for annexation, has ordered  
3 a public hearing pursuant to section 9 of ~~Act No. 279 of the~~  
4 ~~Public Acts of 1909, as amended, being section 117.9 of the~~  
5 ~~Michigan Compiled Laws, and if on the date the petition or reso-~~  
6 ~~lution was filed more than 100 persons resided in the area pro-~~  
7 ~~posed for annexation~~ THE HOME RULE CITY ACT, 1909 PA 279,  
8 MCL 117.9, the legislative body of each city and township

1 affected by the proposed annexation may pass a resolution calling  
2 for a referendum on the question of annexation. If a copy of  
3 each resolution passed by the legislative body of each affected  
4 city and township is filed with the commission and the commission  
5 approves the annexation, the commission, in its order approving  
6 the annexation, shall order that a referendum on the question of  
7 annexation be held in THE TERRITORY PROPOSED FOR ANNEXATION AND  
8 THE BALANCE OF each affected city and township. If a resolution  
9 calling for a referendum on the question of annexation is not  
10 passed by each affected city and township and filed with the com-  
11 mission, the referendum and election shall be subject to ~~section~~  
12 ~~9(5) of Act No. 279 of the Public Acts of 1909, as amended~~  
13 SECTION 9 OF THE HOME RULE CITY ACT, 1909 PA 279, MCL 117.9.  
14 However, if a referendum in THE TERRITORY PROPOSED FOR ANNEXATION  
15 AND THE BALANCE OF each affected city and township is ordered  
16 pursuant to this section and if the majority of the electorate  
17 voting on the question in THE TERRITORY PROPOSED FOR ANNEXATION  
18 AND THE BALANCE OF each city and township in which a referendum  
19 was held, voting separately, approve the annexation, the annexa-  
20 tion shall be effective on a date set by order of the commission,  
21 otherwise the annexation shall not take effect.

22 (2) This section ~~shall apply~~ APPLIES to all petitions or  
23 resolutions for annexation filed with the commission after May 1,  
24 1982.

25 (3) This section is an alternative to the referendum and  
26 election process provided for in ~~section 9(5) of Act No. 279 of~~  
27 ~~the Public Acts of 1909, as amended~~ SECTION 9 OF THE HOME RULE

1 CITY ACT, 1909 PA 279, MCL 117.9, and does not supersede ~~section~~  
2 ~~9(5) of Act No. 279 of the Public Acts of 1909, as amended~~ THAT  
3 SECTION.

4 (4) A PETITION OR RESOLUTION FOR ANNEXATION IS SUBJECT TO  
5 THE REFERENDUM AND ELECTION PROCESS PROVIDED FOR IN SECTION 9 OF  
6 THE HOME RULE CITY ACT, 1909 PA 279, MCL 117.9.