



RECREATIONAL AUTHORITIES

House Bill 4146

Sponsor: Rep. Chris Ward

Committee: Local Government and
Urban Policy

Complete to 6-16-03

A SUMMARY OF HOUSE BILL 4146 AS INTRODUCED 2-5-03

House Bill 4146 would amend the Recreational Authorities Act to allow two or more municipalities “or districts” to establish a recreational authority. Currently under the law, only two or more municipalities can establish a recreational authority.

The bill would define “district” to mean a portion of a municipality having boundaries coterminous with those of a school district. It would define “participating municipality” to mean a municipality “or district” that is named in articles of incorporation (or proposed articles of incorporation) as joining in the original establishing of an authority, or a municipality or district that joins an existing authority and is added to the articles of incorporation, and that has not withdrawn from the authority.

The bill specifies that if a participating municipality is a district, the articles would have to be adopted and could be amended by an affirmative vote of a majority of the members serving on the legislative body of the entire municipality. Further, unless the articles provided otherwise, this requirement would not apply to an amendment to the articles to allow a municipality or district to become a participating municipality in, or to allow a participating municipality to withdraw from, an existing authority.

Under the bill, in order for a district to become a participating municipality, a majority of the electors of the municipality or district proposed to be included in the territory of the authority and voting on the question would have to approve a tax that the authority had been authorized to levy by a vote of the electors of the authority. The bill also specifies that a municipality or district could not withdraw from an authority during the period for which the authority had been authorized to levy the tax. Finally, the adoption of articles or amendments to articles by a municipality or district would have to be evidenced by an endorsement on the articles or amendments by the clerk of the municipality.

MCL 123.1133 and 123.1135

Analyst: J. Hunault

■ 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.