

Legislative Analysis



CHARTER TOWNSHIPS OVER 20,000: CANNOT BE ANNEXED; CANNOT DETACH

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House Bill 6071

Sponsor: Rep. Marc Corriveau

House Bill 6072

Sponsor: Rep. Mark Meadows

Committee: Intergovernmental and Regional Affairs

Complete to 5-11-10

A SUMMARY OF HOUSE BILLS 6071 - 6072 AS INTRODUCED 4-27-10

The bills would exempt certain townships from both annexing and detaching territory. House Bill 6072 is tie-barred to House Bill 6071, meaning that it could not go into effect unless House Bill 6071 also is enacted into law. A more complete explanation of each bill follows.

House Bill 6071 would amend the Charter Township Act (MCL 42.34) to provide that, beginning on the bill's effective date, a charter township that has a population of more than 20,000, and meets certain other requirements would be exempt from annexation and could not detach territory. The bill would apply to any annexation or detachment pending on or initiated after its effective date.

Under the act, a charter township that meets the following criteria is exempt from annexation to any contiguous city or village, except as otherwise provided:

- Has a state equalized valuation of at least \$25 million.
- Has a population density of at least 150 people per square mile.
- Provides fire protection service by contract or otherwise.
- Is governed by a comprehensive zoning ordinance or master plan.
- Provides solid waste disposal services to township residents.
- Provides water and/or sewer services by contract or otherwise.
- Provides police protection through contract with the sheriff in addition to normal sheriff patrol, through an intergovernmental contract, or through its own police department.

The act specifies several procedures by which a portion of a charter township may be annexed by a city or village, regardless of this exemption.

Under the bill, a charter township with a population of more than 20,000 that met all of the criteria listed above would be exempt from annexation and could not detach territory.

The township would not be subject to the provisions under which a portion of a charter township may be annexed despite the current exemption.

The bill also would amend the criteria to refer to solid waste disposal services or recycling services.

House Bill 6072 would amend the Home Rule City Act (MCL 117.9b) to specify that no territory could be detached from a city to a charter township that met all of the requirements of Section 34(9) of the Charter Township Act (the exemption under House Bill 6071).

FISCAL IMPACT:

There would be no direct state fiscal impact, and because any potential annexations/detachments that might be prevented cannot be identified, the fiscal impact on the affected local units is indeterminate. However, as written the bills should not significantly affect the total amount of local revenue.

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