

# SENATE BILL No. 1235

March 18, 2010, Introduced by Senators CROPSEY, ALLEN, JACOBS, CHERRY, GILBERT, PAPPAGEORGE, RICHARDVILLE, HARDIMAN, BIRKHOLZ, KAHN, HUNTER, GEORGE, CLARKE, GLEASON, SWITALSKI and BARCIA and referred to the Committee on Commerce and Tourism.

A bill to amend 1948 (1st Ex Sess) PA 31, entitled

"An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district's boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district's boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district's boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds

issued; to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property; and to prescribe penalties and provide remedies,"

by amending the title and section 1 (MCL 123.951), the title as amended by 1998 PA 190 and section 1 as amended by 1993 PA 121.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 TITLE

2 An act to provide for the incorporation of authorities to  
 3 acquire, furnish, equip, own, improve, enlarge, operate, and  
 4 maintain buildings, automobile parking lots or structures, **TRANSIT-**  
 5 **ORIENTED DEVELOPMENTS, TRANSIT-ORIENTED FACILITIES,** recreational  
 6 facilities, stadiums, and the necessary site or sites therefor,  
 7 together with appurtenant properties and facilities necessary or  
 8 convenient for the effective use thereof, for the use of any  
 9 county, city, village, or township, or for the use of any  
 10 combination of 2 or more counties, cities, villages, or townships,  
 11 or for the use of any school district and any city, village, or  
 12 township wholly or partially within the district's boundaries, or  
 13 for the use of any school district and any combination of 2 or more  
 14 cities, villages, or townships wholly or partially within the  
 15 district's boundaries, or for the use of any intermediate school  
 16 district and any constituent school district or any city, village,  
 17 or township, wholly or partially within the intermediate school  
 18 district's boundaries; to provide for compensation of authority  
 19 commissioners; to permit transfers of property to authorities; to  
 20 authorize the execution of contracts, leases, and subleases  
 21 pertaining to authority property and the use of authority property;  
 22 to authorize incorporating units to impose taxes without limitation

1 as to rate or amount and to pledge their full faith and credit for  
2 the payment of contract of lease obligations in anticipation of  
3 which bonds are issued by an authority; to provide for the issuance  
4 of bonds by such authorities; to validate action taken and bonds  
5 issued; to provide other powers, rights, and duties of authorities  
6 and incorporating units, including those for the disposal of  
7 authority property; and to prescribe penalties and provide  
8 remedies.

9       Sec. 1. (1) A county, city, village, or township may  
10 incorporate, as provided in this act, 1 or more authorities for the  
11 purpose of acquiring, furnishing, equipping, owning, improving,  
12 enlarging, operating and maintaining a building or buildings,  
13 automobile parking lots or structures, **TRANSIT-ORIENTED**  
14 **DEVELOPMENTS, TRANSIT-ORIENTED FACILITIES**, recreational facilities,  
15 stadiums, and the necessary site or sites therefore, together with  
16 appurtenant properties and facilities necessary or convenient for  
17 the effective use of the facilities, for use for any legitimate  
18 public purpose of the county, city, village, or township. ~~For~~  
19 ~~purposes of this act, the development of a qualified facility~~  
20 ~~pursuant to the federal facility development act, Act No. 275 of~~  
21 ~~the Public Acts of 1992, being sections 3.931 to 3.940 of the~~  
22 ~~Michigan Compiled Laws, or the federal data facility act, is~~  
23 ~~considered a legitimate public purpose of a county or city if that~~  
24 ~~county or city makes a determination that such a facility would~~  
25 ~~result in economic development in that county or city.~~

26       (2) AS USED IN THIS SECTION:

27       (A) "TRANSIT-ORIENTED DEVELOPMENT" MEANS INFRASTRUCTURE

1 IMPROVEMENTS THAT ARE LOCATED WITHIN 1/2 MILE OF A TRANSIT STATION  
2 OR TRANSIT-ORIENTED FACILITY THAT PROMOTES TRANSIT RIDERSHIP OR  
3 PASSENGER RAIL USE.

4 (B) "TRANSIT-ORIENTED FACILITY" MEANS A FACILITY THAT HOUSES A  
5 TRANSIT STATION IN A MANNER THAT PROMOTES TRANSIT RIDERSHIP OR  
6 PASSENGER RAIL USE.