

HOUSE BILL No. 6010

December 2, 2014, Introduced by Rep. Price and referred to the Committee on Local Government.

A bill to amend 2000 PA 321, entitled
"Recreational authorities act,"
by amending section 5 (MCL 123.1135), as amended by 2003 PA 135.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) Two or more municipalities or districts may
2 establish a recreational authority. A recreational authority is an
3 authority under section 6 of article IX of the state constitution
4 of 1963.

5 (2) To initiate the establishment of an authority, articles of
6 incorporation shall be prepared. The articles of incorporation
7 shall include all of the following:

8 (a) The name of the authority.

9 (b) The names of the participating municipalities.

10 (c) A description of the territory of the authority.

1 (d) The size of the board of the authority, which shall be
2 comprised of an odd number of members; the qualifications, method
3 of selection, and terms of office of board members; and the filling
4 of vacancies in the office of board member. If board members are
5 elected in at-large elections by the qualified and registered
6 electors of the participating municipalities, voting collectively,
7 the election of board members shall be conducted pursuant to the
8 same procedures that govern an election for a tax under sections 13
9 to 17.

10 (e) The purposes for which the authority is established, which
11 shall be the acquisition, construction, operation, maintenance, or
12 improvement of 1 or more of the following:

- 13 (i) A public swimming pool.
- 14 (ii) A public recreation center.
- 15 (iii) A public auditorium.
- 16 (iv) A public conference center.
- 17 (v) A public park.
- 18 (vi) A public museum.
- 19 (vii) A public historic farm.

20 (f) The procedure and requirements for a municipality or
21 district to become a participating municipality in, and for a
22 participating municipality to withdraw from, an existing authority
23 or to join in the original formation of an authority. For a
24 municipality or district to become a participating municipality in
25 an existing authority or to join in the original formation of an
26 authority, a majority of the electors of the municipality or
27 district proposed to be included in the territory of the authority

1 and voting on the question shall approve a tax that the authority
2 has been authorized to levy by a vote of the electors of the
3 authority under section 11. A municipality or district shall not
4 withdraw from an authority during the period for which the
5 authority has been authorized to levy a tax by the electors of the
6 authority.

7 (g) Any other matters considered advisable.

8 (3) The articles shall be adopted and may be amended by an
9 affirmative vote of a majority of the members serving on the
10 legislative body of each participating municipality. If a
11 participating municipality is a district, the articles shall be
12 adopted and may be amended by an affirmative vote of a majority of
13 the members serving on the legislative body of the entire
14 municipality. Unless the articles provide otherwise, the
15 requirements of this subsection do not apply to an amendment to the
16 articles to allow a municipality or district to become a
17 participating municipality in, or to allow a participating
18 municipality to withdraw from, an existing authority.

19 (4) Before **JANUARY 1, 2015, BEFORE** the articles or amendments
20 to the articles are adopted, the articles or amendments to the
21 articles shall be published not less than once in a newspaper
22 generally circulated within the participating municipalities.
23 **BEGINNING JANUARY 1, 2015, BEFORE THE ARTICLES OR AMENDMENTS TO THE**
24 **ARTICLES ARE ADOPTED, TIER B PUBLIC NOTICE WITH A LINK OF THE**
25 **ARTICLES OR THE AMENDMENTS TO THE ARTICLES SHALL BE PROVIDED AS SET**
26 **FORTH IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT.** The adoption of
27 articles or amendments to the articles by a municipality or

1 district shall be evidenced by an endorsement on the articles or
2 amendments by the clerk of the municipality.

3 (5) Upon adoption of the articles or amendments to the
4 articles by each of the participating municipalities, a printed
5 copy of the articles or the amended articles shall be filed with
6 the secretary of state by the clerk of the last participating
7 municipality to adopt the articles or amendments.

8 (6) The authority's articles of incorporation, or amendments
9 to the articles, take effect upon filing with the secretary of
10 state.

11 Enacting section 1. This amendatory act does not take effect
12 unless Senate Bill No. _____ or House Bill No. 5560 (request no.
13 03796'13) of the 97th Legislature is enacted into law.