

# HOUSE BILL No. 6036

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

A bill to amend 1947 PA 359, entitled  
"The charter township act,"  
by amending sections 3a and 8 (MCL 42.3a and 42.8), section 3a as  
amended by 1984 PA 361 and section 8 as amended by 2004 PA 406.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 3a. (1) ~~Within 30 days after the effective date of this~~  
2 ~~1984 amendatory act and after~~ **AFTER** each regular or special federal  
3 or state census, the secretary of state shall notify the clerk of a  
4 township ~~which~~ **THAT** is not incorporated as a charter township  
5 ~~pursuant to~~ **UNDER** this act and ~~which~~ **THAT** has a population of 2,000  
6 or more inhabitants, excluding the population of any incorporated  
7 village, according to the most ~~recently made~~ **RECENT** regular or

1 special federal or state census that the township may be  
2 incorporated as the charter township of ..... under this  
3 act.

4 (2) After notification is received by the clerk, the township  
5 board may:

6 (a) Adopt, by a majority vote, a resolution opposed to  
7 incorporation.

8 (b) Adopt, by a majority vote, a resolution of intent to  
9 approve incorporation. ~~and if~~ **IF** a petition of disagreement to the  
10 intent resolution relative to the incorporation is filed within 60  
11 days before final passage of the resolution, the electors of the  
12 township have the right to a referendum on the incorporation  
13 question.

14 (c) Adopt, by a majority vote, a resolution to place before  
15 the electorate the question of incorporation at the next regular or  
16 special election.

17 (3) ~~The~~ **BEFORE JANUARY 1, 2015, THE** clerk shall publish in a  
18 newspaper of general circulation in the township a notice of the  
19 right to referendum within 15 days after receipt of notification  
20 from the secretary of state. ~~A~~ **BEFORE JANUARY 1, 2015, A** second  
21 notice shall be published 7 days after the first notice. **BEGINNING**  
22 **JANUARY 1, 2015, THE CLERK SHALL PROVIDE TIER A PUBLIC NOTICE OF**  
23 **THE RIGHT TO REFERENDUM WITHIN 15 DAYS AFTER THE RECEIPT OF**  
24 **NOTIFICATION FROM THE SECRETARY OF STATE AS SET FORTH IN THE LOCAL**  
25 **GOVERNMENT PUBLIC NOTICE ACT.**

26 (4) The petition under subsection (2)(b) shall be signed by  
27 not less than 10% of the number of electors of the township voting

1 for township supervisor at the last election in which a supervisor  
2 was elected. The township clerk shall check the signatures on the  
3 petitions with those of the electors signing the petitions as they  
4 appear on the registration cards of the township. If petitions  
5 bearing the required number of signatures of electors have been  
6 filed, the clerk shall do and perform all acts required for the  
7 submission of the question of incorporation at the next general or  
8 special election. The wording of the ballot shall be in accordance  
9 with section 2.

10 Sec. 8. (1) The proceedings of the township board shall be  
11 published **OR POSTED** at least once each month. A publication **OR**  
12 **POSTING** of a synopsis of the proceedings, prepared by the township  
13 clerk and approved by the supervisor, showing the substance of each  
14 separate proceeding of the **TOWNSHIP** board is in compliance with  
15 this section.

16 (2) ~~The~~ **BEFORE JANUARY 1, 2015, THE** board shall determine the  
17 method of publication of all notices, ordinances, and proceedings  
18 for which the method of publication is not prescribed by law.

19 (3) ~~In~~ **BEFORE JANUARY 1, 2015, IN** making a determination under  
20 subsection (2), the board shall require 1 or both of the following:

21 (a) That publication be made in a newspaper published and  
22 circulated in the township or, if no such newspaper exists, then in  
23 one published in the county in which the township is located.

24 (b) That publication be made by posting in the office of the  
25 clerk and in 5 other public places in the township or by posting in  
26 the office of the clerk and on the township's website.

27 (4) ~~If~~ **BEFORE JANUARY 1, 2015, IF** publication is made by

1 posting under subsection (3)(b), a notice of the posting describing  
2 the purpose or nature of the notice, ordinance, or proceeding  
3 posted and the location of the places where posted shall be  
4 published at least once in a newspaper as required under subsection  
5 (3)(a) within 7 days of the posting.

6 (5) BEGINNING JANUARY 1, 2015, PUBLIC NOTICE OF ALL NOTICES,  
7 ORDINANCES, AND PROCEEDINGS FOR WHICH THE METHOD OF PUBLICATION OR  
8 POSTING IS NOT PRESCRIBED BY LAW SHALL BE PROVIDED AS TIER C PUBLIC  
9 NOTICE AS SET FORTH IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT.

10 Enacting section 1. This amendatory act does not take effect  
11 unless House Bill No. 5560 of the 97th Legislature is enacted into  
12 law.