

HOUSE BILL No. 6058

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

A bill to amend 2005 PA 280, entitled
"Corridor improvement authority act,"
by amending sections 6 and 22 (MCL 125.2876 and 125.2892), section
6 as amended by 2012 PA 229 and section 22 as amended by 2008 PA
44.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) If the governing body of a municipality determines
2 that it is necessary for the best interests of the public to
3 redevelop its commercial corridors and to promote economic growth,
4 the governing body may, by resolution, do 1 of the following:

5 (a) Declare its intention to create and provide for the
6 operation of an authority.

7 (b) Declare its intention to jointly create and provide for

1 the operation of a joint authority created under section 4(2).

2 (2) In the resolution of intent, the governing body shall
3 state that the proposed development area meets the criteria in
4 section 5, set a date for a public hearing on the adoption of a
5 proposed resolution creating the authority, and designate the
6 boundaries of the development area. ~~Notice~~**THROUGH DECEMBER 31,**
7 **2014, NOTICE** of the public hearing shall be published twice in a
8 newspaper of general circulation in the municipality, not less than
9 20 or more than 40 days before the date of the hearing. **BEGINNING**
10 **JANUARY 1, 2015, THE GOVERNING BODY SHALL PROVIDE TIER A PUBLIC**
11 **NOTICE AS PROVIDED IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT NOT**
12 **LESS THAN 20 OR MORE THAN 40 DAYS BEFORE THE DATE OF THE HEARING.**

13 Not less than 20 days before the hearing, the governing body
14 proposing to create the authority shall also mail notice of the
15 hearing to the property taxpayers of record in the proposed
16 development area, to the governing body of each taxing jurisdiction
17 levying taxes that would be subject to capture if the authority is
18 established and a tax increment financing plan is approved, and to
19 the state tax commission. Failure of a property taxpayer to receive
20 the notice does not invalidate these proceedings. ~~Notice~~**THROUGH**
21 **DECEMBER 31, 2014, NOTICE** of the hearing shall be posted in at
22 least 20 conspicuous and public places in the proposed development
23 area not less than 20 days before the hearing. The notice shall
24 state the date, time, and place of the hearing and shall describe
25 the boundaries of the proposed development area. A citizen,
26 taxpayer, or property owner of the municipality or an official from
27 a taxing jurisdiction with millage that would be subject to capture

1 has the right to be heard in regard to the establishment of the
2 authority and the boundaries of the proposed development area. The
3 governing body of the municipality shall not incorporate land into
4 the development area not included in the description contained in
5 the notice of public hearing, but it may eliminate described lands
6 from the development area in the final determination of the
7 boundaries.

8 (3) Not less than 60 days after the public hearing, if the
9 governing body of the municipality intends to proceed with the
10 establishment of the authority it shall adopt, by majority vote of
11 its members, a resolution establishing the authority and
12 designating the boundaries of the development area within which the
13 authority shall exercise its powers. The adoption of the resolution
14 is subject to any applicable statutory or charter provisions in
15 respect to the approval or disapproval by the chief executive or
16 other officer of the municipality and the adoption of a resolution
17 over his or her veto. This resolution shall be filed with the
18 secretary of state promptly after its adoption and, **THROUGH**
19 **DECEMBER 31, 2014,** shall be published at least once in a newspaper
20 of general circulation in the municipality. **BEGINNING JANUARY 1,**
21 **2015, THE GOVERNING BODY SHALL PROVIDE TIER B PUBLIC NOTICE WITH A**
22 **LINK AS PROVIDED IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT OF THE**
23 **ADOPTED RESOLUTION.**

24 (4) The governing body of the municipality may alter or amend
25 the boundaries of the development area to include or exclude lands
26 from the development area in the same manner as adopting the
27 resolution creating the authority.

(5) A municipality that has created an authority may enter into an agreement with an adjoining municipality that has created an authority to jointly operate and administer those authorities under an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512. The interlocal agreement shall include, but is not limited to, a plan to coordinate and expedite local inspections and permit approvals, a plan to address contradictory zoning requirements, and a date certain to implement all provisions of these plans. If a municipality enters into an interlocal agreement under this subsection, the municipality shall provide a copy of that interlocal agreement to the state tax commission within 60 days of entering into the interlocal agreement.

Sec. 22. (1) The governing body, before adoption of a resolution approving a development plan or tax increment financing plan, shall hold a public hearing on the development plan. ~~Notice~~ **THROUGH DECEMBER 31, 2014, NOTICE** of the time and place of the hearing shall be given by publication twice in a newspaper of general circulation designated by the municipality, the first of which shall be not less than 20 days before the date set for the hearing. ~~Notice~~ **BEGINNING JANUARY 1, 2015, THE GOVERNING BODY SHALL PROVIDE TIER A PUBLIC NOTICE WITH A LINK AS PROVIDED IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT OF THE TIME AND PLACE OF THE HEARING NOT LESS THAN 20 DAYS BEFORE THE DATE SET FOR THE HEARING. THROUGH DECEMBER 31, 2014, NOTICE** of the hearing shall be posted in at least 20 conspicuous and public places in the development area not less than 20 days before the hearing. Notice shall also be mailed

1 to all property taxpayers of record in the development area and to
2 the governing body of each taxing jurisdiction levying taxes that
3 would be subject to capture if the tax increment financing plan is
4 approved not less than 20 days before the hearing. The notice of
5 hearing within the time frame described in this subsection shall be
6 mailed by certified mail to the governing body of each taxing
7 jurisdiction levying taxes that would be subject to capture if the
8 tax increment financing plan is approved.

9 (2) Notice of the time and place of hearing on a development
10 plan shall contain all of the following:

11 (a) A description of the proposed development area in relation
12 to highways, streets, streams, or otherwise.

13 (b) A statement that maps, plats, and a description of the
14 development plan, including the method of relocating families and
15 individuals who may be displaced from the area, are available for
16 public inspection at a place designated in the notice.

17 (c) A statement that all aspects of the development plan will
18 be open for discussion at the public hearing.

19 (d) Other information that the governing body considers
20 appropriate.

21 (3) At the time set for the hearing, the governing body shall
22 provide an opportunity for interested persons to speak and shall
23 receive and consider communications in writing. The hearing shall
24 provide the fullest opportunity for expression of opinion, for
25 argument on the merits, and for consideration of documentary
26 evidence pertinent to the development plan. The governing body
27 shall make and preserve a record of the public hearing, including

1 all data presented at the hearing.

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