

SENATE BILL No. 661

December 10, 2015, Introduced by Senators HOPGOOD, BIEDA, SCHMIDT, NOFS and HORN and referred to the Committee on Economic Development and International Investment.

A bill to amend 1975 PA 197, entitled

"An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,"

by amending section 29 (MCL 125.1679), as amended by 2004 PA 66.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 29. (1) A public facility, building, or structure that is
2 determined by the municipality to have significant historical
3 interests shall be preserved in a manner as considered necessary by
4 the municipality in accordance with laws relative to the
5 preservation of historical sites. The preservation of facilities,

1 buildings, or structures determined to be historic sites by a
2 municipality shall include, at a minimum, equipping the historic
3 site with a fire alarm system.

4 ~~(2) An authority shall refer all proposed changes~~ **PRIOR TO**
5 **MAKING OR APPROVING A PERMANENT CHANGE** to the exterior of ~~sites~~ **A**
6 **SITE OWNED BY THE AUTHORITY, OR FOR WHICH THE ACQUISITION,**
7 **REHABILITATION, OR DEMOLITION IS FINANCED BY THE AUTHORITY, AND**
8 listed on the state register of historic sites ~~and~~ **OR** the national
9 register of historic places ~~to the applicable historic district~~
10 ~~commission created under~~ **THAT IS SUBJECT TO** the local historic
11 districts act, 1970 PA 169, MCL 399.201 to 399.215, ~~or the~~
12 ~~department of history, arts, and libraries for review~~ **THE AUTHORITY**
13 **SHALL REFER ALL PROPOSED CHANGES TO THE LOCAL HISTORIC DISTRICT**
14 **COMMISSION ESTABLISHED UNDER THE LOCAL HISTORIC DISTRICTS ACT, 1970**
15 **PA 169, MCL 399.201 TO 399.215, IN WHICH THE SITE IS LOCATED.**

16 **(3) THROUGH DECEMBER 31, 2018, NOT LESS THAN 30 DAYS PRIOR TO**
17 **MAKING OR APPROVING A PERMANENT CHANGE TO THE EXTERIOR OF A SITE**
18 **OWNED BY THE AUTHORITY OR FOR WHICH THE ACQUISITION,**
19 **REHABILITATION, OR DEMOLITION IS FINANCED BY THE AUTHORITY AND**
20 **LISTED ON THE STATE REGISTER OF HISTORIC SITES OR THE NATIONAL**
21 **REGISTER OF HISTORIC PLACES IF THAT SITE IS NOT LOCATED IN A LOCAL**
22 **HISTORIC DISTRICT CREATED UNDER THE LOCAL HISTORIC DISTRICTS ACT,**
23 **1970 PA 169, MCL 399.201 TO 399.215, THE AUTHORITY SHALL REFER ALL**
24 **PROPOSED CHANGES TO THE STATE HISTORIC PRESERVATION OFFICE.**

25 **(4) IF AN AUTHORITY VIOLATES SUBSECTION (3) BY DEMOLISHING A**
26 **FACILITY, BUILDING, OR STRUCTURE AS DETERMINED BY THE STATE**
27 **HISTORIC PRESERVATION OFFICE, THEN IT IS LIABLE FOR A CIVIL FINE IN**

1 THE AMOUNT OF \$30,000.00. THE CIVIL FINE SHALL BE PAID TO THE STATE
2 HISTORIC PRESERVATION OFFICE. FROM THE CIVIL FINES COLLECTED UNDER
3 THIS SECTION, THE STATE HISTORIC PRESERVATION OFFICE SHALL CREATE
4 AND OPERATE A GRANT PROGRAM THAT PROVIDES GRANTS TO NONPROFIT
5 HISTORIC PRESERVATION ORGANIZATIONS AND TO CITIES, VILLAGES, AND
6 TOWNSHIPS FOR HISTORIC PRESERVATION PURPOSES WITH A PREFERENCE TO
7 THOSE SERVING THE COMMUNITY IN WHICH THE SITE WHERE THE VIOLATION
8 OCCURRED IS LOCATED. THE STATE HISTORIC PRESERVATION OFFICE MAY
9 RETAIN 5% OF THE CIVIL FINE FOR ADMINISTRATIVE COSTS FOR
10 ADMINISTERING THE GRANT PROGRAM OR THE ACTUAL COSTS ASSOCIATED WITH
11 ADMINISTERING THE GRANT, WHICHEVER IS LESS. THE GRANT PROGRAM FUNDS
12 SHALL BE AWARDED WITHIN 90 DAYS OF RECEIPT IF THERE ARE ELIGIBLE
13 APPLICATIONS. ANY FUNDS REMAINING AT THE END OF THE FISCAL YEAR
14 SHALL NOT LAPSE AND SHALL REMAIN IN THE GRANT PROGRAM FUND AND NOT
15 BE TRANSFERRED TO THE GENERAL FUND.

16 (5) AS USED IN THIS SECTION, "STATE HISTORIC PRESERVATION
17 OFFICE" MEANS THE STATE HISTORIC PRESERVATION OFFICE DESCRIBED IN
18 CHAPTER 3C OF THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY ACT
19 OF 1966, 1966 PA 346, MCL 125.1459D TO 125.1459E.