

SENATE BILL No. 422

May 31, 2017, Introduced by Senators CONYERS, HOOD, HERTEL, GREGORY and BIEDA and referred to the Committee on Local Government.

A bill to amend 2003 PA 258, entitled
"Land bank fast track act,"
by amending sections 4 and 7 (MCL 124.754 and 124.757).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) Except as otherwise provided in this act, an
2 authority may do all things necessary or convenient to implement
3 the purposes, objectives, and provisions of this act, and the
4 purposes, objectives, and powers delegated to the board of
5 directors of an authority by other laws or executive orders,
6 including, but not limited to, all of the following:

7 (a) Adopt, amend, and repeal bylaws for the regulation of its
8 affairs and the conduct of its business.

9 (b) Sue and be sued in its own name and plead and be
10 impleaded, including, but not limited to, defending the authority
11 in an action to clear title to property conveyed by the authority.

1 (c) Borrow money and issue bonds and notes according to the
2 provisions of this act.

3 (d) Enter into contracts and other instruments necessary,
4 incidental, or convenient to the performance of its duties and the
5 exercise of its powers, including, but not limited to, interlocal
6 agreements under the urban cooperation act of 1967, 1967 (Ex Sess)
7 PA 7, MCL 124.501 to 124.512, for the joint exercise of powers
8 under this act.

9 (e) Solicit and accept gifts, grants, labor, loans, and other
10 aid from any person, or the federal government, this state, or a
11 political subdivision of this state or any agency of the federal
12 government, this state, a political subdivision of this state, or
13 an intergovernmental entity created under the laws of this state or
14 participate in any other way in a program of the federal
15 government, this state, a political subdivision of this state, or
16 an intergovernmental entity created under the laws of this state.

17 (f) Procure insurance against loss in connection with the
18 property, assets, or activities of the authority.

19 (g) Invest money of the authority, at the discretion of the
20 board of directors of the authority, in instruments, obligations,
21 securities, or property determined proper by the board of directors
22 of the authority, and name and use depositories for its money.

23 (h) Employ legal and technical experts, other officers,
24 agents, or employees, permanent or temporary, paid from the funds
25 of the authority. The authority shall determine the qualifications,
26 duties, and compensation of those it employs. The board of
27 directors of an authority may delegate to 1 or more members,

1 officers, agents, or employees any powers or duties it considers
2 proper. Members of the board of directors of an authority shall
3 serve without compensation but shall be reimbursed for actual and
4 necessary expenses subject to available appropriations.

5 (i) Contract for goods and services and engage personnel as
6 necessary and engage the services of private consultants, managers,
7 legal counsel, engineers, accountants, and auditors for rendering
8 professional financial assistance and advice payable out of any
9 money of the authority.

10 (j) Study, develop, and prepare the reports or plans the
11 authority considers necessary to assist it in the exercise of its
12 powers under this act and to monitor and evaluate progress under
13 this act.

14 (k) Enter into contracts for the management of, the collection
15 of rent from, or the sale of real property held by an authority.

16 **(l) CREATE AND OPERATE A HOME SALE PROGRAM FOR DISABLED**
17 **VETERANS UNDER SECTION 7.**

18 **(M)** ~~(l)~~ Do all other things necessary or convenient to achieve
19 the objectives and purposes of the authority or other laws that
20 relate to the purposes and responsibility of the authority.

21 (2) The enumeration of a power in this act shall not be
22 construed as a limitation upon the general powers of an authority.
23 The powers granted under this act are in addition to those powers
24 granted by any other statute or charter.

25 (3) An authority, in its discretion, may contract with others,
26 public or private, for the provision of all or a portion of the
27 services necessary for the management and operation of the

1 authority.

2 (4) If an authority holds a tax deed to abandoned property,
3 the authority may quiet title to the property under section 79a of
4 the general property tax act, 1893 PA 206, MCL 211.79a.

5 (5) The property of an authority and its income and operations
6 are exempt from all taxation by this state or any of its political
7 subdivisions.

8 (6) An authority shall not assist or expend any funds for, or
9 related to, the development of a casino.

10 (7) An authority shall not levy any tax or special assessment.

11 (8) An authority shall not exercise the power of eminent
12 domain or condemn property.

13 (9) An authority shall adopt a code of ethics for its
14 directors, officers, and employees.

15 (10) An authority shall establish policies and procedures
16 requiring the disclosure of relationships that may give rise to a
17 conflict of interest. The governing body of an authority shall
18 require that any member of the governing body with a direct or
19 indirect interest in any matter before the authority disclose the
20 member's interest to the governing body before the board takes any
21 action on the matter.

22 Sec. 7. (1) Except as an authority otherwise agrees by
23 intergovernmental agreement or otherwise, on terms and conditions,
24 and in a manner and for an amount of consideration an authority
25 considers proper, fair, and valuable, including for no monetary
26 consideration, the authority may convey, sell, transfer, exchange,
27 lease as lessor, or otherwise dispose of property or rights or

1 interests in property in which the authority holds a legal interest
2 to any public or private person for value determined by the
3 authority. If the department of environmental quality determines
4 that conditions on a property transferred to an authority under
5 section ~~78m(15)~~**78M(14)** of the general property tax act, 1893 PA
6 206, MCL 211.78m, represent an acute threat to public health,
7 safety, and welfare, or to the environment, the authority shall not
8 convey, sell, transfer, exchange, lease, or otherwise dispose of
9 the property until after a determination by the department of
10 environmental quality that the acute threat has been eliminated and
11 that conveyance, sale, transfer, exchange, lease, or other disposal
12 of the property by the authority will not interfere with any
13 response activities by the department. The transfer and use of
14 property under this section and the exercise by the authority of
15 powers and duties under this act shall be considered a necessary
16 public purpose and for the benefit of the public.

17 (2) All property held by an authority shall be inventoried and
18 classified by the authority according to title status and
19 suitability for use.

20 (3) A document, including, but not limited to, a deed,
21 evidencing the transfer under this act of 1 or more parcels of
22 property to an authority by this state or a political subdivision
23 of this state may be recorded with the register of deeds office in
24 the county in which the property is located without the payment of
25 a fee.

26 **(4) AN AUTHORITY SHALL CREATE AND OPERATE A HOME SALE PROGRAM**
27 **FOR DISABLED VETERANS WHO RECEIVE SERVICE-CONNECTED DISABILITY**

1 PAYMENTS AS A RESULT OF SERVICE IN THE ARMED FORCES OF THE UNITED
2 STATES. A HOME SALE PROGRAM CREATED AND OPERATED BY AN AUTHORITY
3 FOR DISABLED VETERANS SHALL DO ALL OF THE FOLLOWING:

4 (A) MAKE AVAILABLE HOMES FOR SALE AT A PURCHASE PRICE THAT
5 FACTORS IN THE AMOUNT OF SERVICE-RELATED DISABILITY PAYMENTS THAT
6 THE DISABLED VETERANS RECEIVE BUT IN NO EVENT SHALL THE MONTHLY
7 PURCHASE PAYMENT EXCEED 33-1/3% OF THE DISABLED VETERANS' SERVICE-
8 RELATED DISABILITY PAYMENT.

9 (B) PROVIDE THAT THE HOME SALE PROGRAM IS ONLY AVAILABLE TO
10 DISABLED VETERANS WHO HAVE A 60% OR GREATER DISABILITY AS
11 DETERMINED BY THE AUTHORITY AND WHO ARE NOT EMPLOYED.