

# HOUSE BILL NO. 6334

November 12, 2020, Introduced by Rep. Steven Johnson and referred to the Committee on Government Operations.

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

township ~~which~~**that** is not incorporated as a charter township pursuant to ~~under~~ this act and ~~which~~**that** has a population of 2,000 or more inhabitants, excluding the population of any incorporated village, according to the most ~~recently made~~**recent** regular or special federal or state census that the township may be incorporated as the charter township of ..... under this act.

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

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

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

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

(3) ~~The~~**Before January 1, 2022, the** clerk shall publish in a newspaper of general circulation in the township a notice of the right to referendum within 15 days after receipt of notification from the secretary of state. ~~A~~**Before January 1, 2022, a** second notice ~~shall~~**must** be published 7 days after the first notice. **Beginning January 1, 2022, the clerk shall post public notice of the right to referendum as set forth in the local government public notice act within 15 days after the receipt of notification from the secretary of state.**

(4) The petition under subsection (2)(b) ~~shall~~**must** be signed by not less than 10% of the number of electors of the township voting for township supervisor at the last election in which a supervisor was elected. The township clerk shall check the signatures on the petitions with those of the electors signing the petitions as they appear on the registration cards of the township. If petitions bearing the required number of signatures of electors have been filed, the clerk shall do and perform all acts required for the submission of the question of incorporation at the next general or special election. The wording of the ballot ~~shall~~**must** be in accordance with section 2.

Sec. 8. (1) The proceedings of the township board ~~shall~~**must** be published **or posted** at least once each month. A publication **or posting** of a synopsis of the proceedings, prepared by the township clerk and approved by the supervisor, showing the substance of each separate proceeding of the **township** board is in compliance with this section.

(2) ~~The~~**Before January 1, 2022, the** board shall determine the method of publication of all notices, ordinances, and proceedings for which the method of publication is not prescribed by law.

(3) ~~In~~**Before January 1, 2022, in** making a determination under subsection (2), the board shall require 1 or both of the following:

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

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

1           (4) ~~if~~**Before January 1, 2022, if** publication is made by  
2 posting under subsection (3)(b), a notice of the posting describing  
3 the purpose or nature of the notice, ordinance, or proceeding  
4 posted and the location of the places where posted ~~shall~~**must** be  
5 published at least once in a newspaper as required under subsection  
6 (3)(a) within 7 days of the posting.

7           (5) **Beginning January 1, 2022, public notice of all notices,**  
8 **ordinances, and proceedings for which the method of publication or**  
9 **posting is not prescribed by law must be posted as set forth in the**  
10 **local government public notice act.**

11           Enacting section 1. This amendatory act does not take effect  
12 unless Senate Bill No.\_\_\_\_ or House Bill No. 6440 (request no.  
13 02449'19) of the 100th Legislature is enacted into law.