

# HOUSE BILL NO. 6399

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

A bill to amend 1986 PA 196, entitled  
"Public transportation authority act,"  
by amending sections 5 and 7 (MCL 124.455 and 124.457).

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 5. (1) The adoption of articles of incorporation under  
2   this act ~~shall~~**must** be evidenced by an endorsement on the articles  
3   of incorporation by the clerk of each respective political  
4   subdivision or by the recording officer of the incorporating

authority under section 3 in a form substantially as follows:

The foregoing articles of incorporation were adopted by an affirmative vote of a majority of the members serving on the governing or legislative body of \_\_\_\_\_, \_\_\_\_\_ at a meeting duly held on the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_\_.20\_\_.

(2) ~~The~~ **Before January 1, 2022, the** articles of incorporation ~~shall~~**must** be published by the person or persons designated in the articles at least once in a newspaper designated in the articles and circulated within the area proposed to be served by the public authority. **Beginning January 1, 2022, the articles of incorporation must be published by the person or persons designated in the articles using posted notice as provided in the local government public notice act.** One printed copy of the articles of incorporation ~~shall~~**must** be filed with the secretary of state, the clerk of each county to be served by the public authority, and the director of the state transportation department by the person designated to do so by the articles. The public authority ~~shall~~**become**~~becomes~~ operative and the articles of incorporation effective at the time provided in the articles of incorporation. The validity of the incorporation ~~shall be~~**is** conclusively presumed unless questioned in a court of competent jurisdiction within 60 days after the publication of the articles of incorporation.

Sec. 7. A political subdivision or a portion of a city, village, or township bounded by lines described in section 4 may

1 become a member of a public authority after the public authority's  
2 formation under this act upon resolution adopted by a majority vote  
3 of the members elected to and serving on the legislative body of  
4 the political subdivision requesting membership for all or a  
5 portion of the political subdivision and upon resolution adopted by  
6 a 2/3 vote of the members serving on the board of the public  
7 authority approving an amendment to the articles of incorporation  
8 of the public authority adding all or a portion of the political  
9 subdivision. The amendment to the articles of incorporation ~~shall~~  
10 **must** be executed by the clerk of the political subdivision, all or  
11 a part of which is being added and, **before January 1, 2022, shall**  
12 **must** be filed and published in the same manner as the original  
13 articles of incorporation. **Beginning January 1, 2022, the amendment**  
14 **to the articles of incorporation must be published using posted**  
15 **notice as provided in the local government public notice act.**

16 Enacting section 1. This amendatory act does not take effect  
17 unless Senate Bill No.\_\_\_\_ or House Bill No. 6440 (request no.  
18 02449'19) of the 100th Legislature is enacted into law.