

Act No. 81
Public Acts of 2020
Approved by the Governor
April 2, 2020
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**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020**

Introduced by Senator Bumstead

ENROLLED SENATE BILL No. 712

AN ACT to amend 1895 PA 3, entitled “An act to provide for the government of certain villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages subject to this act; to define the powers and duties of certain state and local officers and entities; to define the application of this act and provide for its amendment by villages subject to this act; to validate prior amendments and certain prior actions taken and bonds issued by villages subject to this act; to provide for the disincorporation of villages; and to prescribe penalties and provide remedies,” by amending section 10 of chapter II and section 5 of chapter V (MCL 62.10 and 65.5), section 5 of chapter V as amended by 1998 PA 255.

The People of the State of Michigan enact:

CHAPTER II-OFFICERS.

Sec. 10. (1) Except as otherwise provided in subsection (2), the resignation of a village officer must be made to the village president, and the resignation is effective upon receipt by the village president.

(2) The resignation of the village president must be made to the village clerk, and the resignation is effective upon receipt by the village clerk.

CHAPTER V-VILLAGE COUNCIL.

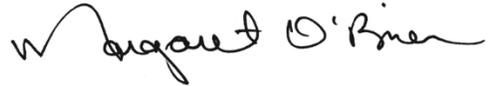
Sec. 5. (1) The council shall prescribe the rules of its own proceedings, and shall keep a record of those proceedings. Except as otherwise provided in this section, a majority of the members of council are a quorum for the transaction of business. A majority of the members of council serving, if meeting to fill a vacancy in the office of village president or village trustee, are a quorum for the transaction of business. A lesser number may adjourn and compel the attendance of absent members in a manner as prescribed by ordinance. In the absence of an ordinance, if the village council lacks a quorum for more than 60 consecutive calendar days, then the presiding officer of the village council may compel the attendance of board members and other officers of the village at a regular or special meeting and enforce the orderly conduct in the meeting. A member of the council or any other officer of the village who refuses to attend a meeting for a reason other than a confining illness or extenuating circumstances is guilty of gross neglect of duty. Any police officer designated by the presiding officer of the meeting shall serve as the sergeant-at-arms of the village council in the enforcement of this subsection.

(2) An office must not be created or abolished; a street, alley, or public ground vacated; real estate or an interest in real estate purchased, leased, sold, or disposed of; or a public improvement ordered, except by a majority vote of the members of council. The vote must be taken by yeas and nays, and entered in the journal. However, a tax must not be increased or a special assessment imposed except by an affirmative vote of 2/3 of the members of council.

(3) Money must not be appropriated except by ordinance or resolution of the council. An ordinance appropriating money must not be passed, or a resolution appropriating money must not be adopted, except by a majority vote of the members of council. The vote must be taken by yeas and nays, and entered in the journal. Within 15 days after a meeting of the council, a synopsis or the entirety of the proceedings, including the vote of the members, prepared by the clerk and approved by the president showing the substance of each separate decision of the council must be published in a newspaper of general circulation in the village or posted in 3 public places in the village.

(4) A writing prepared, owned, used, in the possession of, or retained by the council or by the clerk, treasurer, or other officer of the village in the performance of an official function must be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor