

**SUBSTITUTE FOR
HOUSE BILL NO. 4860**

A bill to amend 1947 PA 359, entitled
"The charter township act,"
by amending section 7 (MCL 42.7), as amended by 1992 PA 15.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) The township board shall provide by resolution for
2 the time, date, and place of the board's regular meetings, and
3 shall hold at least 1 regular meeting each month. If a time set for
4 the holding of a regular meeting of the township board is a
5 holiday, then the regular meeting ~~shall~~**must** be held at the same
6 time and place on the next day that is not a Saturday, Sunday, or
7 holiday.

8 (2) A special meeting of the township board ~~shall~~**must** be
9 called by the township clerk pursuant to subsection (3) on the

1 written request of the supervisor or of 2 members of the township
 2 board and on at least 24 hours' written notice to each member of
 3 the township board. The notice ~~shall~~**must** designate the time,
 4 place, and purpose of the meeting and ~~shall~~**must** be served
 5 personally or left at the member's usual place of residence by the
 6 township clerk or someone designated by the township clerk.

7 (3) The business that the board may perform ~~shall~~**must** be
 8 conducted at a public meeting of the board held in compliance with
 9 the open meetings act, ~~Act No. 267 of the Public Acts of 1976,~~
 10 ~~being sections 15.261 to 15.275 of the Michigan Compiled Laws. 1976~~
 11 **PA 267, MCL 15.261 to 15.275.** Public notice of the time, date, and
 12 place of the meeting ~~shall~~**must** be given in the manner required by
 13 ~~Act No. 267 of the Public Acts of 1976.~~**the open meetings act, 1976**
 14 **PA 267, MCL 15.261 to 15.275.**

15 (4) ~~Business shall~~**Except as otherwise provided in this**
 16 **subsection, business must** not be transacted at a special meeting of
 17 the township board unless the business ~~has been~~**was** stated in the
 18 notice of the meeting. ~~However, if~~**If** all the members of the board
 19 are present at a special meeting, then business that might lawfully
 20 come before a regular meeting of the board may be transacted at the
 21 special meeting.

22 (5) Four members of the township board are a quorum for the
 23 transaction of business at a meeting, but, in the absence of a
 24 quorum, 2 members may adjourn a regular or special meeting to a
 25 later date.

26 (6) The township board shall determine its own rules and order
 27 of business and shall keep ~~a journal~~**minutes** of its proceedings in
 28 the English language. The ~~journal shall~~**minutes must** be signed by
 29 the supervisor and the township clerk. The vote upon the passage of

1 an ordinance ~~,—~~and upon the adoption of a resolution and ordinance
 2 ~~shall—must~~ be taken by yes and no votes and ~~shall—must~~ be entered
 3 upon the record, except that if the vote is unanimous, it ~~shall~~
 4 **must** only be necessary to record that fact. Except as otherwise
 5 provided in this subsection, a member of the township board who is
 6 recorded as present shall vote on all questions decided by the
 7 board unless ~~excused by the unanimous consent of the other members~~
 8 ~~present.~~ **the board member believes that a conflict of interest**
 9 **exists. If a board member determines that the board member's own**
 10 **conflict of interest impacts the board member's duty to the**
 11 **interest of the township, the board member may abstain from a vote**
 12 **on the question to which the conflict of interest pertains. If a**
 13 **board member determines an abstention is warranted, the board**
 14 **member shall announce the board member's intent to abstain from**
 15 **voting and disclose on the official record the factual basis for**
 16 **the abstention.** If, at a meeting of the township board, a member of
 17 the township board states that ~~he or she~~ **the member** desires to be
 18 appointed by the township board to fill a vacancy in a township
 19 office, that member may abstain from voting on the appointment to
 20 fill the vacancy. **A board member must be recognized immediately for**
 21 **the purpose of an abstention.**

22 (7) A writing prepared, owned, used, in the possession of, or
 23 retained by the board in the performance of an official function
 24 ~~shall—must~~ be made available to the public in compliance with the
 25 freedom of information act, ~~Act No. 442 of the Public Acts of 1976,~~
 26 ~~being sections 15.231 to 15.246 of the Michigan Compiled Laws.~~ **1976**
 27 **PA 442, MCL 15.231 to 15.246.**

28 (8) The township board, by vote of not less than 2 members,
 29 may compel the attendance of board members and other officers of

1 the township at a regular or special meeting and enforce orderly
2 conduct in the meeting. A member of the board or any other officer
3 of the township who refuses to attend a meeting or ~~conduct himself~~
4 ~~or herself~~**act** in an orderly manner is guilty of misconduct in
5 office. The township marshal ~~shall serve~~**serves** as the sergeant-at-
6 arms of the township board in the enforcement of this section.