

THE DISTRICT LIBRARY ESTABLISHMENT ACT (EXCERPT)

Act 24 of 1989

397.173d Transfer of portion of district library to other district library; condition; effect of districtwide library tax; "transfer area" defined.

Sec. 3d. (1) Two district libraries may amend a contiguous boundary by transferring a portion of 1 district library to the other district library if all of the following requirements are satisfied:

(a) The transfer area is bounded by county, township, city, village, or school district boundaries.

(b) The governing board of each district library adopts a resolution approving the transfer by majority vote of the members appointed and serving.

(c) By resolution within the time period specified in a resolution described in subdivision (b), the governing board of each participating municipality for both district libraries approves the transfer by majority vote of the members appointed and serving.

(d) Both agreements are amended to reflect the transfer. The amendments to the agreements shall include, but are not limited to, all of the following:

(i) Changes in board representation.

(ii) The money necessary from each participating municipality for the establishment and operation of the district libraries.

(iii) A revised legal description of the district.

(iv) A map that clearly shows the revised service area of each new district library.

(e) Each district library shall submit the resolutions described in subdivisions (b) and (c) and the amendments to the agreement described in subdivision (d) to the state librarian.

(2) If a districtwide library tax is being levied in the district library district receiving the transfer area, the board of that district library shall condition acceptance of the transfer area on the approval of the tax by a majority of the electors residing in the transfer area. Failure of a majority of the electors residing in the transfer area to approve the tax does not affect the validity of the continued levy of any previously authorized millage by the district library transferring the transfer area. A tax levied by the district library transferring the transfer area will be extinguished in the transfer area upon approval by a majority of the electors residing in the transfer area.

(3) If a districtwide library tax is not being levied by the district library receiving the transfer area at the time of the transfer, but a districtwide library tax is being levied by the district library transferring the transfer area, the districtwide tax of the district library transferring the transfer area is extinguished in the transfer area only upon approval of the transfer by the state librarian.

(4) As used in this section, "transfer area" means the portion of the district library district to be transferred.

History: Add. 2014, Act 570, Imd. Eff. Jan. 15, 2015.

Popular name: District Libraries Act