



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 491

Sponsor: Senator William Van Regenmorter

Committee: Local, Urban, and State Affairs

Date Completed: 5-17-95

**SUMMARY OF SENATE BILL 491 as introduced 5-3-95:**

**The bill would amend Public Act 31 of 1948, which provides for the incorporation of local building authorities, to permit two or more counties, cities, townships, and/or villages to incorporate one or more joint authorities. The bill also would provide for the filing of an authority's articles of incorporation and the election of an authority's governing commission.**

Articles of Incorporation

Currently, the Act permits any county and any city, township, or village in the county to incorporate one or more authorities to acquire, equip, improve, operate, and maintain buildings, parking lots or structures, recreational facilities, and stadiums. The bill would permit any combination of two or more counties, cities, townships, and villages to incorporate one or more joint authorities.

The articles of incorporation currently must set forth the following information about the authority: its name, the name(s) of the unit(s) incorporating the authority, its purpose, the membership and selection of the authority's officers, including its "commission" (governing body), the officers' powers and duties, the authority's effective date, and the name of the newspaper in which the articles must be published. Under the bill, the articles also would have to include the officer required to publish the articles, and the county with whose clerk the articles had to be filed. That county would have to be a county that was an incorporating unit or in which an incorporating unit was located.

The bill would delete current provisions on the duplication of the articles and the filing of these copies with the county clerk and the Secretary of State. Under the bill, the officer designated in the articles would have to file with the designated county clerk and the Secretary of State a certified copy of the articles with a certificate of the date and newspaper of publication. The officer would have to file with the recording officer of the authority, when selected, the original articles with a certificate of the date and newspaper of publication.

Commission

Currently, a joint building authority of a county, city, or village must be directed and governed by a three-member board of commissioners, one of whom is elected by the county board of commissioners, one by the local government's legislative body, and one by the county

commissioners and the legislative body of the local government. Under the bill, these provisions would apply to a joint authority incorporated by a county and a city, township, or village.

Under the bill, a joint building authority not described by these provisions would have to be directed and governed by a commission consisting of one member elected by the legislative body of each incorporating unit and other members as provided by the articles of incorporation. The commissioners of a joint building authority under these provisions would have to serve for four-year terms.

MCL 123.952 et al.

Legislative Analyst: L. Arasim

### **FISCAL IMPACT**

This bill would have no fiscal impact on State government. This bill also would have no fiscal impact on local units, unless the bonding were approved by a vote of the people.

Fiscal Analyst: R. Ross

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.