

HOUSE BILL No. 6005

April 26, 2006, Introduced by Reps. Ward and Stakoe and referred to the Committee on Commerce.

A bill to amend 1975 PA 197, entitled

"An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,"

by amending section 3b (MCL 125.1653b), as amended by 1993 PA 323.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 3b. (1) An ordinance enacted by a municipality that has a
- 2 population of less than 50,000 establishing an authority, creating
- 3 a district, or approving a development plan or tax increment

1 financing plan, or an amendment to an authority, district, or plan,
2 and all actions taken under that ordinance, including the issuance
3 of bonds, are ratified and validated notwithstanding that notice
4 for the public hearing on the establishment of the authority,
5 creation of the district, or approval of the development plan or
6 tax increment financing plan, or on the amendment, was not
7 published, posted, or mailed at least 20 days before the hearing,
8 if the notice was published or posted at least 15 days before the
9 hearing or the authority was established in 1984 by a village that
10 filed the ordinance with the secretary of state not later than
11 March, 1986. This section applies only to an ordinance adopted by a
12 municipality before February 1, 1991, and shall include any bonds
13 or amounts to be used by the authority to pay the principal of and
14 interest on bonds that have been issued or that are to be issued by
15 the authority, the incorporating municipality, or a county on
16 behalf of the incorporating municipality. An authority for which an
17 ordinance or amendment to the ordinance establishing the authority
18 has been published before February 1, 1991 is considered for
19 purposes of section 3(4) to have promptly filed the ordinance or
20 amendment to the ordinance with the secretary of state if the
21 ordinance or amendment to the ordinance is filed with the secretary
22 of state before October 1, 1991. As used in this section, "notice
23 was published" means publication of the notice occurred at least
24 once.

25 (2) A development plan and tax increment financing plan
26 approved by a resolution adopted by the village council of a
27 village having a population of less than 3,000 before June 15, 1988

1 rather than by adoption of an ordinance is ratified and validated,
2 if an amendment to the plans was adopted by the village council in
3 compliance with sections 18 and 19.

4 (3) A DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN
5 APPROVED BY A RESOLUTION ADOPTED BY THE VILLAGE COUNCIL OF A
6 VILLAGE HAVING A POPULATION OF LESS THAN 7,000 BEFORE JUNE 1, 1998
7 RATHER THAN BY ADOPTION OF AN ORDINANCE IS RATIFIED AND VALIDATED
8 IF AN AMENDMENT TO THE PLANS WAS ADOPTED BY THE VILLAGE COUNCIL IN
9 COMPLIANCE WITH SECTIONS 18 AND 19.