

# HOUSE BILL No. 6061

December 2, 2014, Introduced by Rep. Price and referred to the Committee on Local Government.

A bill to amend 1871 PA 164, entitled

"An act to provide for vacating cemetery plats and cemetery grounds in the limits of incorporated cities and villages,"

by amending section 2 (MCL 128.42).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        ~~Sec. 2. That such petition shall be made in behalf of said~~  
2        ~~trustees or common council by an attorney or agent appointed by~~  
3        ~~them for that purpose, who shall file a petition signed and sworn~~  
4        ~~to by him in the office of the register of said court for the~~  
5        ~~proper county, which petition shall set forth his authority as~~  
6        ~~attorney or agent, the particular reasons for making and filing~~  
7        ~~such petition and a distinct description of the premises on which~~  
8        ~~such cemetery is located, which petition shall be filed as~~

~~aforesaid 30 days previous to the first day of the term for which  
such petition shall be noticed for hearing. That notice of the  
pendency and hearing of such petition shall be given for the same  
space of time by publishing the same in a newspaper published in  
the proper county once in each week for 4 successive weeks prior to  
the first day of the term when such case is noticed for hearing.~~THE

PETITION UNDER SECTION 1 SHALL SET FORTH THE AUTHORITY OF THE  
INDIVIDUAL FILING THE PETITION ON BEHALF OF THE CITY OR VILLAGE,  
THE REASONS FOR THE PETITION, AND A SPECIFIC DESCRIPTION OF THE  
PREMISES WHERE THE CEMETERY IS LOCATED. THE PETITION SHALL BE  
SIGNED AND SWORN TO IN THE OFFICE OF THE COUNTY CLERK BY THE  
INDIVIDUAL FILING THE PETITION. THE COURT SHALL CONDUCT A HEARING  
ON THE PETITION. THE CITY OR VILLAGE SHALL GIVE NOTICE OF THE  
HEARING ON THE PETITION AS FOLLOWS:

(A) IF THE HEARING IS HELD BEFORE JANUARY 1, 2015, BY  
PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY  
ONCE EACH WEEK FOR 4 SUCCESSIVE WEEKS BEFORE THE HEARING.

(B) IF THE HEARING IS HELD AFTER DECEMBER 31, 2014, BY TIER A  
PUBLIC NOTICE UNDER THE LOCAL GOVERNMENT PUBLIC NOTICE ACT. IF  
PUBLICATION IS REQUIRED, THE FIRST PUBLICATION SHALL BE NOT MORE  
THAN 30 DAYS AND NOT LESS THAN 14 DAYS BEFORE THE DATE OF THE  
HEARING.

Enacting section 1. This amendatory act does not take effect  
unless House Bill No. 5560 of the 97th Legislature is enacted into  
law.