

CHARTER TOWNSHIPS: ANNEXATION REQUIRES TOWNSHIP BOARD APPROVAL OF ELECTION

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House Bill 4004 as introduced
Sponsor: Rep. Kurt Heise
Committee: Local Government
Complete to 6-2-15

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4004 would amend the Charter Township Act to allow a portion of a charter township contiguous to a city or village to be annexed, only if the governing body of the charter township, by resolution, approved having the annexation question placed on the ballot. A more detailed description of the bill follows.

Currently under the act, a charter township that meets the following criteria is exempt from annexation to any contiguous city or village, except as otherwise provided:

- Has a state equalized valuation of at least \$25 million.
- Has a population density of at least 150 people per square mile.
- Provides fire protection service by contract or otherwise.
- Is governed by a comprehensive zoning ordinance or master plan.
- Provides solid waste disposal services to township residents.
- Provides water and/or sewer services by contract or otherwise.
- Provides police protection through contract with the sheriff, in addition to normal sheriff patrol, through an intergovernmental contract, or through its own police department.

However, the act specifies circumstances under which the exemption from annexation does not apply, even if the township meets the criteria listed above.

Specifically, a portion of a charter township can be annexed to a city or village (1) if a petition is filed with the county clerk having the signatures of 20 percent of the registered electors in the area to be annexed, and (2) a majority of the receiving city or village voters approves the annexation. House Bill 4004 would retain these criteria, and add a third, to also require that (3) *the governing body of the charter township, by resolution, approves having the question of annexing a portion of the charter township placed on the ballot for voter approval.*

Further, House Bill 4004 specifies that an annexation petition could not be validated by a county clerk, nor an election scheduled, unless the charter township governing board had approved placing the annexation question on the ballot.

MCL 42.34

FISCAL IMPACT:

As written, the bill would not directly impact state revenues. The fiscal impact on affected local units is indeterminate, as any annexations that may occur as a result of the changes contained in the bill cannot be identified in advance. However, as written the bill should not significantly affect the total amount of local revenue.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.