

# HOUSE BILL No. 4370

March 16, 2017, Introduced by Reps. Sowerby, Marino, Lucido, Farrington, Hornberger,  
Yanez, Green, Hertel and Chirkun and referred to the Committee on Local Government.

A bill to amend 1954 PA 188, entitled

"An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds,"

by amending section 3 (MCL 41.723), as amended by 1995 PA 139.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 3. (1) The township board may proceed to carry out an  
2 improvement as provided in this act unless written objections to  
3 the improvement are filed with the township board at or before the  
4 hearing provided in section 4 by property owners as follows:

5           (a) For an improvement under section 2(1)(a), (b), (d), (e),  
6 (f), (h), (i), (j), (l), (n), ~~or~~ (o), **OR (Q)**, by the record owners  
7 of land constituting more than 20% of the total land area in the

1 proposed special assessment district.

2 (b) For an improvement under section 2(1)(c), (g), (k), or  
3 (m), by the record owners of land constituting more than 20% of the  
4 total frontage upon the road, bicycle path, or sidewalk.

5 (2) A township board may require the filing of a petition  
6 meeting the requirements of subsection (3) before proceeding with  
7 an improvement under this act.

8 (3) If written objections are filed as provided in subsection  
9 (1), or if the township board requires a petition before  
10 proceeding, the township board shall not proceed with the  
11 improvement until there is filed with the board a petition signed  
12 as follows:

13 (a) For an improvement under section 2(1)(a), (b), (d), (e),  
14 (f), (h), (i), (j), (l), (n), ~~or (o)~~, **OR (Q)**, by the record owners  
15 of land constituting more than 50% of the total land area in the  
16 special assessment district as finally established by the township  
17 board.

18 (b) For an improvement under section 2(1)(c), (g), (k), or  
19 (m), by the record owners of land constituting more than 50% of the  
20 total frontage upon the road, bicycle path, or sidewalk.

21 (4) Record owners shall be determined by the records in the  
22 register of deeds' office as of the day of the filing of a  
23 petition, or if written objections are filed as provided in  
24 subsection (1), then on the day of the hearing. In determining the  
25 sufficiency of the petition, lands not subject to special  
26 assessment and lands within a public highway or alley ~~shall~~ **MUST**  
27 not be included in computing frontage or an assessment district

1 area. A filed petition may be supplemented as to signatures by the  
2 filing of an additional signed copy or copies of the petition. The  
3 validity of the signatures on a supplemental petition ~~shall~~**MUST** be  
4 determined by the records as of the day of filing the supplemental  
5 petition.

6 Enacting section 1. This amendatory act takes effect 90 days  
7 after the date it is enacted into law.

8 Enacting section 2. This amendatory act does not take effect  
9 unless all of the following bills of the 99th Legislature are  
10 enacted into law:

11 (a) Senate Bill No. \_\_\_\_ or House Bill No. 4371 (request no.  
12 02129'17).

13 (b) Senate Bill No. \_\_\_\_ or House Bill No. 4359 (request no.  
14 02171'17).