

HOUSE BILL NO. 6339

November 12, 2020, Introduced by Rep. Steven Johnson and referred to the Committee on Government Operations.

A bill to amend 1846 RS 16, entitled
"Of the powers and duties of townships, the election and duties of township officers, and the division of townships,"
by amending sections 28 and 72a (MCL 41.28 and 41.72a), section 28 as amended by 1989 PA 77 and section 72a as amended by 1999 PA 198.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 28. ~~The~~ **Before January 1, 2022, the** township clerk,

1 within 2 days after receiving an order for a special township
2 meeting of the electors, shall ~~cause copies~~ post copies of the
3 order in 3 of the most public places in the township, and if there
4 is a newspaper printed in the township, he or she shall also
5 publish a copy of the order in that newspaper, if practicable, at
6 least 5 days before the day appointed for the special township
7 meeting of the electors. **Beginning January 1, 2022, public notice**
8 **of an order for a special township meeting of the electors must be**
9 **provided by the township clerk in the manner required under the**
10 **open meetings act, 1976 PA 267, MCL 15.261 to 15.275.**

11 Sec. 72a. (1) The township board shall provide by resolution
12 for the time and place of its regular meetings, and shall hold not
13 less than 1 regular meeting every 3 months. If a time set for a
14 regular meeting of the township board is a holiday, as designated
15 by the township board, the regular meeting ~~shall~~**must** be held at
16 the same time and place on the next secular day that is not a
17 holiday.

18 (2) A special meeting of the township board ~~shall~~**must** be held
19 at a time fixed by the board at a meeting or when the supervisor
20 considers it necessary. Upon call of the supervisor, the township
21 clerk shall give notice of the time and place of the meeting to
22 each member, either in person or by leaving a written notice at the
23 member's address. A special meeting of the township board ~~shall~~
24 **must** be called by the township clerk upon receiving a written
25 request for the meeting signed by a majority of the township board
26 members.

27 (3) The supervisor, if present, shall be the moderator of a
28 regular or special meeting of the township board. If the supervisor
29 is not present, the township board, under the direction of the

township clerk, shall elect by voice vote a member of the township board as a moderator of the meeting. The township clerk has the same powers and duties as the moderator until a moderator is chosen.

(4) The township board shall not transact business at a special meeting unless the business was stated in the notice of the meeting. However, if all the members of the board are present at a special meeting, business that might lawfully come before a regular meeting of the board may be transacted at the special meeting.

(5) ~~Subject~~ **Before January 1, 2022 and subject** to subsection (6), if a township has a taxable value, as calculated under section 27a of the general property tax act, 1893 PA 206, ~~MCL 211.27A, MCL 211.27a~~, of \$50,000,000.00 or more, the township board, not more than 21 days after a meeting of the board, shall publish the proceedings of the meeting in a newspaper of general circulation in the township. **Beginning January 1, 2022 and subject to subsection (6), if a township has a taxable value, as calculated under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a, of \$50,000,000.00 or more, the township board, not more than 21 days after a meeting of the board, shall post public notice of the proceedings of the meeting as set forth in the local government public notice act.** The publication, **or posting under the local government public notice act**, of a synopsis of the proceedings, prepared by the township clerk and approved by the supervisor, showing the substance of each separate proceeding of the board is a sufficient compliance with the requirements of this subsection.

(6) The \$50,000,000.00 amount provided for in subsection (5) ~~shall~~ **must** be adjusted as of January 1 of each year, beginning January 1, 1998. The department of treasury shall determine on or

1 before December 1 of each year, beginning December 1, 1997, an
2 adjusted amount for the following year. The adjusted amount for
3 each year ~~shall~~**must** be determined by comparing the ~~consumer price~~
4 ~~index~~**Consumer Price Index** for the 12-month period ending the
5 preceding October 31 with the corresponding consumer price index of
6 1 year earlier. The percentage increase or decrease ~~shall~~**must** then
7 be multiplied by the current adjusted amount. The product ~~shall~~
8 **must** be rounded up to the nearest multiple of \$1,000,000.00 and
9 ~~shall be~~**is** the new adjusted amount. The department of treasury
10 shall provide the adjusted amount upon request. As used in this
11 section, "~~consumer price index~~"**Consumer Price Index** means the
12 annual average percentage increase in the Detroit ~~consumer price~~
13 ~~index~~**Consumer Price Index** for all items as reported by the United
14 States ~~department of labor~~**Department of Labor**.

15 Enacting section 1. This amendatory act does not take effect
16 unless Senate Bill No.____ or House Bill No. 6440 (request no.
17 02449'19) of the 100th Legislature is enacted into law.