

HOUSE BILL NO. 6569

December 08, 2022, Introduced by Reps. Lasinski and Brabec and referred to the Committee on Local Government and Municipal Finance.

A bill to amend 1988 PA 57, entitled

"An act to provide for the incorporation by 2 or more municipalities of certain authorities for the purpose of providing emergency services to municipalities; to provide for the powers and duties of authorities and of certain state and local agencies and officers; to provide for certain condemnation proceedings; to provide for fees; to provide for the levy of property taxes for certain purposes; to authorize the issuance of bonds, notes, and other evidences of indebtedness; and to prescribe penalties and provide remedies,"

by amending section 2 (MCL 124.602).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) Any 2 or more municipalities may incorporate an
2 authority for the purpose of providing emergency services to the
3 incorporating municipalities. An incorporating municipality may
4 transfer to the authority of which it is a part any municipal
5 emergency service.

6 (2) An authority is created by the adoption of articles of
7 incorporation by the legislative body of each incorporating
8 municipality. The adoption by an incorporating municipality ~~shall~~
9 **must** be endorsed on the articles of incorporation in the case of a
10 county by the county executive or chairperson of the board of
11 commissioners of the county and the county clerk; in the case of a
12 city by the mayor and clerk of the city; in the case of a village
13 by the president and clerk of a village; and in the case of a
14 township by the supervisor and clerk of a township, in a form
15 substantially as follows:

16 "The foregoing articles of incorporation were adopted by the
17 _____ of the _____ of
18 _____, _____ ~~county,~~
19 **County**, Michigan, at a meeting duly held on the _____ day
20 of _____, ~~1920~~ of said
21 _____ Clerk of said _____."

22 (3) **Subject to this subsection, the incorporating**
23 **municipalities shall determine the territory under the authority's**
24 **jurisdiction.** An authority's jurisdiction ~~shall~~**must** be comprised
25 of ~~the total~~ territory within the incorporating municipalities. The
26 articles of incorporation ~~shall~~**must** be published at least once in
27 a newspaper designated in the articles of incorporation and
28 circulating within the territory of the authority. A printed copy
29 of the articles of incorporation, certified as a true copy by the

1 person or persons designated in the articles, and containing the
2 date and place of publication, ~~shall~~**must** be filed with the
3 secretary of state. An authority ~~shall become~~**becomes** effective at
4 the time provided in its articles of incorporation. The validity of
5 the incorporation of an authority ~~shall be~~**is** conclusively presumed
6 unless questioned in a court of competent jurisdiction within 60
7 days after the date on which certified copies of the articles of
8 incorporation are filed with the secretary of state.

9 (4) The laws of this state applying to a municipality that
10 becomes a part of an authority also ~~shall~~ continue to apply to the
11 municipality and the authority after the municipality becomes a
12 part of the authority.