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:

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

(2) An authority is created by the adoption of articles of incorporation by the legislative body of each incorporating municipality. The adoption by an incorporating municipality shall be endorsed on the articles of incorporation in the case of a county by the county executive or chairperson of the board of commissioners of the county and the county clerk; in the case of a city by the mayor and clerk of the city; in the case of a village by the president and clerk of a village; and in the case of a township by the supervisor and clerk of a township, in a form substantially as follows:

"The foregoing articles of incorporation were adopted by the __________________________ of the __________________________ of __________________________, ____________ county, Michigan, at a meeting duly held on the ____________ day of ______________________________, 1920 of said __________________________ Clerk of said __________________________."

(3) Subject to this subsection, the incorporating municipalities shall determine the territory under the authority's jurisdiction. An authority's jurisdiction shall be comprised of the total territory within the incorporating municipalities. The articles of incorporation shall be published at least once in a newspaper designated in the articles of incorporation and circulating within the territory of the authority. On the website of each incorporating municipality, or, if a website is unavailable, in the clerk's office of each incorporating municipality. A printed copy of the articles of incorporation, certified as a true copy by the person or persons designated in the
articles, and containing the date and place of publication, shall must be filed with the secretary of state. An authority shall becomes become effective at the time provided in its articles of incorporation. The validity of the incorporation of an authority shall be is conclusively presumed unless questioned in a court of competent jurisdiction within 60 days after the date on which certified copies of the articles of incorporation are filed with the secretary of state.

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

(5) Notwithstanding section 13, if an incorporated municipality or a municipality otherwise granted taxing authority under state law is a member of an authority to provide emergency services under this section and the territory under the authority's jurisdiction does not include all taxable property within the municipality, the municipality shall not tax the property owners that are not within the territory under the jurisdiction of the authority to fulfill the municipality's obligation to the authority. The property owners that are not within the territory under the jurisdiction of the authority are not subject to assessments by the municipality to pay for the obligations of the authority.