

RECREATIONAL AUTHORITIES ACT (EXCERPT)
Act 321 of 2000

***** 123.1141.amended THIS AMENDED SECTION IS EFFECTIVE SEPTEMBER 12, 2016 *****

123.1141.amended Public swimming pool, public recreation center, public auditorium, or conference center, or public park; tax levy; ballot proposal; vote; authorization; number of elections; proceeds; use.

Sec. 11. (1) An authority may levy a tax of not more than 1 mill for a period of not more than 20 years on all of the taxable property within the territory of the authority for the purposes of acquiring, constructing, operating, maintaining, and improving a public swimming pool, public recreation center, public auditorium or conference center, or public park. The authority may levy the tax only upon the approval of a majority of the electors in each of the participating municipalities of the authority voting on the tax on November 6, 2001 or, thereafter, at a statewide general or primary election. The proposal for a tax shall be submitted to a vote of the electors of the authority by resolution of the board.

(2) A ballot proposal for a tax shall state the amount and duration of the millage and the purposes for which the millage may be used. A proposal for a tax shall not be placed on the ballot unless the proposal is adopted by a resolution of the board and certified by the board not later than 60 days before the election to the county clerk of each county in which all or part of the territory of the authority is located for inclusion on the ballot. The proposal shall be certified for inclusion on the ballot at the next eligible election, as specified by the board's resolution.

(3) If a majority of the electors in each of the participating municipalities of the authority voting on the question of a tax approve the proposal as provided under subsection (1), the tax levy is authorized. Not more than 2 elections may be held in a calendar year on a proposal for a tax authorized under this act.

(4) The proceeds of a tax levied under this section shall only be used by the authority for those purposes described in this section and shall not be used by the authority for either of the following:

(a) Except as otherwise provided in subsection (5), any general fund purposes by any participating municipality.

(b) Any school operating purposes, as that term is defined in section 20 of the state school aid act of 1979, 1979 PA 94, MCL 388.1620, by any participating municipality that is a school district.

(5) The proceeds of a tax levied under this section may be used for general fund purposes by a participating municipality if the proceeds used are directly related to managing the operation of the business of the authority pursuant to a contract between the authority and that participating municipality.

History: 2000, Act 321, Eff. Dec. 1, 2000;—Am. 2003, Act 135, Imd. Eff. Aug. 1, 2003;—Am. 2016, Act 173, Eff. Sept. 12, 2016.