



# HOUSE BILL No. 4585

April 1, 1993, Introduced by Reps. Llewellyn, Hammerstrom, Galloway, Dalman, Whyman, Cropsey, Crissman and Rhead and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to amend sections 1 and 7 of Act No. 450 of the Public Acts of 1980, entitled as amended "The tax increment finance authority act," as amended by Act No. 193 of the Public Acts of 1985, being sections 125.1801 and 125.1807 of the Michigan Compiled Laws.

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

1 Section 1. Sections 1 and 7 of Act No. 450 of the Public  
2 Acts of 1980, as amended by Act No. 193 of the Public Acts of  
3 1985, being sections 125.1801 and 125.1807 of the Michigan  
4 Compiled Laws, are amended to read as follows:

5 Sec. 1. As used in this act:

6 (a) "Authority" means a tax increment finance authority cre-  
7 ated pursuant to this act.

1 (b) "Authority district" means that area within which an  
2 authority shall exercise its powers and within which 1 or more  
3 development areas may exist.

4 (c) "Board" means the governing body of an authority.

5 (d) "Chief executive officer" means the mayor or city man-  
6 ager of a city, the president of a village, or the supervisor of  
7 a township.

8 (e) "Development area" means that area to which a develop-  
9 ment plan is applicable.

10 (f) "Development area citizens council" or "council" means  
11 that advisory body established pursuant to section 20.

12 (g) "Development plan" means that information and those  
13 requirements for a development set forth in section 16.

14 (h) "Development program" means the implementation of the  
15 development plan.

16 (i) "Governing body" means the elected body of a municipal-  
17 ity having legislative powers.

18 (j) "Municipality" means a city.

19 (k) "Public facility" means 1 or more of the following:

20 (i) A street, plaza, or pedestrian mall, and any improve-  
21 ments to a street, plaza, boulevard, alley, or pedestrian mall,  
22 including street furniture and beautification; — park; —  
23 parking facility; — recreation facility; — playground; —  
24 school; — library; — public institution or administration  
25 building; — right of way; — structure; — waterway; —  
26 bridge; — lake; — pond; — canal; — utility line or  
27 pipeline; — and other similar facilities and necessary

1 easements of these facilities designed and dedicated to use by  
2 the public generally or used by a public agency.

3 (ii) The acquisition and disposal of real and personal prop-  
4 erty or interests ~~therein~~ IN THAT PROPERTY, demolition of  
5 structures, site preparation, relocation costs, building rehabil-  
6 itation, and all administrative costs related to the above,  
7 including, but not limited to, architect's, engineer's, legal,  
8 and accounting fees as contained in the resolution establishing  
9 the district's development plan.

10 (iii) An improvement to a facility used by the public or a  
11 public facility as those terms are defined in section 1 of Act  
12 No. 1 of the Public Acts of 1966, being section 125.1351 of the  
13 Michigan Compiled Laws, which improvement is made to comply with  
14 the barrier free design requirements of the state construction  
15 code promulgated under the state construction code act of 1972,  
16 Act No. 230 of the Public Acts of 1972, being sections 125.1501  
17 to 125.1531 of the Michigan Compiled Laws.

18 (l) "Tax increment district" or "district" means that area  
19 to which the tax increment finance plan pertains.

20 (m) "Tax increment financing plan" means that information  
21 and those requirements set forth in sections 13 to 15.

22 Sec. 7. The board may DO ANY OF THE FOLLOWING:

23 (a) Prepare an analysis of economic changes taking place in  
24 the municipality and its environs as those changes relate to  
25 urban deterioration in the development areas.

26 (b) Study and analyze the impact of growth upon development  
27 areas.

1 (c) Plan and propose the construction, renovation, repair,  
2 remodeling, rehabilitation, restoration, preservation, or recon-  
3 struction of a public facility, an existing building, or a multi-  
4 ple family dwelling unit ~~which~~ THAT may be necessary or appro-  
5 priate to the execution of a plan ~~which~~ THAT, in the opinion of  
6 the board, aids in the revitalization and growth of the develop-  
7 ment area.

8 (d) Plan, propose, and implement an improvement to a public  
9 facility within the development area to comply with the barrier  
10 free design requirements of the state construction code promul-  
11 gated under the state construction code act of 1972, Act No. 230  
12 of the Public Acts of 1972, being sections 125.1501 to 125.1531  
13 of the Michigan Compiled Laws.

14 (e) Develop long-range plans, in cooperation with the agency  
15 ~~which~~ THAT is chiefly responsible for planning in the munici-  
16 pality, designed to halt the decline of property values and to  
17 promote the growth of the development area, and take ~~such~~ steps  
18 ~~as may be~~ necessary to implement the plans to the fullest  
19 extent possible.

20 (f) Implement ~~any~~ A plan of development in a development  
21 area necessary to achieve the purposes of this act, in accordance  
22 with the powers of the authority ~~as~~ granted by this act.

23 (g) Make and enter into contracts necessary or incidental to  
24 the exercise of ~~its~~ THE BOARD'S powers and the performance of  
25 its duties.

26 (h) Acquire by purchase or otherwise, on terms and  
27 conditions and in a manner the authority considers proper, own,

1 convey, demolish, relocate, rehabilitate, or otherwise dispose  
2 of, or lease as lessor or lessee, ~~land and other property,~~ real  
3 or personal PROPERTY, or rights or interests ~~therein, which~~ IN  
4 REAL OR PERSONAL PROPERTY, THAT the authority determines is rea-  
5 sonably necessary to achieve the purposes of this act, and ~~to~~  
6 grant or acquire licenses, easements, and options with respect  
7 ~~thereto~~ TO THE PROPERTY.

8 (i) Improve land, prepare sites for buildings, including the  
9 demolition of existing structures, and construct, reconstruct,  
10 rehabilitate, restore, and preserve, equip, improve, maintain,  
11 repair, and operate ~~any~~ A building, including any type of hous-  
12 ing, and ~~any~~ necessary or desirable appurtenances ~~thereto~~ TO  
13 THE BUILDING, within the development area for the use, in whole  
14 or in part, of any public or private person or corporation, or a  
15 combination thereof.

16 (j) Fix, charge, and collect fees, rents, and charges for  
17 the use of ~~any building or property or any~~ ALL OR part of a  
18 building or property under ~~its~~ THE BOARD'S control, or a facil-  
19 ity in the building or on the property, and pledge the fees,  
20 rents, and charges for the payment of revenue bonds issued by the  
21 authority.

22 (k) Lease ~~any~~ ALL OR PART OF A building or property ~~or~~  
23 ~~part of a building or property~~ under ~~its~~ THE BOARD'S control.

24 (l) Accept grants and donations of property, labor, or other  
25 things of value from a public or private source.

26 (m) Acquire and construct public facilities.

1           (n) Incur costs in connection with the performance of ~~its~~  
2 THE BOARD'S authorized functions, including but not limited to,  
3 administrative costs, and ~~architects, engineers,~~ ARCHITECT'S,  
4 ENGINEER'S, legal, and accounting fees.

5           (O) PERFORM RESPONSE ACTIVITIES AS DEFINED IN THE ENVIRON-  
6 MENTAL RESPONSE ACT, ACT NO. 307 OF THE PUBLIC ACTS OF 1982,  
7 BEING SECTIONS 299.601 TO 299.618 OF THE MICHIGAN COMPILED LAWS.