

**TRANSFER OF TERRITORY
BETWEEN SCHOOL DISTRICTS**

House Bill 5065
Sponsor: Rep. Shelley Taub
Committee: Education

Complete to 10-24-03

A SUMMARY OF HOUSE BILL 5065 AS INTRODUCED 9-24-03

House Bill 5065 would amend the Revised School Code to revise the procedure used to transfer territory from one school district to another.

Under the bill, an intermediate school district (ISD) would transfer territory by detaching the territory from one school district and attaching it to another that was contiguous to the territory, if *all* of the following conditions were met.

- The territory to be transferred was a subdivision, village, city, or township that included property in more than one school district, or was a subdivision that was located in a village, city or township that included property in more than one school district.
- The territory to be transferred had not been previously transferred within the preceding 15 years.
- The intermediate school board had been petitioned to make the transfer by not less than a majority of the people who owned property and resided in the territory to be transferred. [If the affected school districts were in more than one ISD, then the petition could be filed with either intermediate school board. The petition would have to include all of the following: 1) the boundaries of the territory to be transferred; 2) the total number of mills of ad valorem property tax levied by the school district from which the territory was to be detached, including both operating millage and debt millage; 3) the total number of mills of ad valorem property tax levied by the school district to which the territory was to be attached, including both operating millage and debt millage ; and 4) a statement that the territory could continue to be part of the school district from which it would be detached for the purpose of levying debt retirement taxes for bonded indebtedness existing at the time of the transfer until the bonds were redeemed, but that the territory would be part of the school district to which it was to be attached for all other purposes.
- The board of the school district to which the territory was to be attached approved the proposed transfer.
- The transfer was approved by a majority of the school electors residing in the territory to be transferred voting on the question. [The election would be conducted by the board of the school district to which the territory would be attached.]

The bill specifies that if an intermediate school board received a petition under this subsection, *all* of the following would apply. 1) The intermediate board would notify the board of the school district to which the territory was to be attached of the petition, and then forward the petition to that board within three days after receiving it. 2) The board of the school district to which the territory was to be attached would act to approve or disapprove the proposed transfer within 45 days after receiving the petition. 3) If the board of the school district to which the territory was to be attached approved the transfer, then that board would conduct the election within 60 days after approving the transfer. 4) If the transfer of territory was approved at the election, then the transfer of territory would take effect at the beginning of the next school fiscal year, immediately following final certification of the election results.

The bill would define “subdivision” to mean a subdivision platted under the Land Division Act, Public Act 288 of 1967, MCL 560.101 to 560.293, or under a predecessor act, or a condominium project with a condominium subdivision plan under section 66 of the Condominium Act, Public Act 59 of 1978, MCL 559.166, that has been recorded by the register of deeds.

MCL 380.951 et al

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■This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.