

SENATE BILL No. 535

May 24, 2007, Introduced by Senators JACOBS, PATTERSON, SANBORN, GILBERT, JANSEN, PAPPAGEORGE, ALLEN, BIRKHOLZ, BROWN, GARCIA, THOMAS, RICHARDVILLE and HUNTER and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1996 PA 381, entitled
 "Brownfield redevelopment financing act,"
 by amending section 3 (MCL 125.2653), as amended by 2000 PA 145.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) A municipality may establish 1 or more
 2 authorities. Except as provided in subsection (4), an authority
 3 with zones established before ~~the effective date of the amendatory~~
 4 ~~act that added subsection (2)~~ **JUNE 6, 2000** shall exercise its
 5 powers within its designated zones. Except as provided in
 6 subsection (4), an authority established after ~~the effective date~~
 7 ~~of the amendatory act that added subsection (2)~~ **JUNE 6, 2000** shall
 8 exercise its powers over any eligible property located in the
 9 municipality.

1 (2) An authority with zones established before ~~the effective~~
2 ~~date of the amendatory act that added this subsection~~ **JUNE 6, 2000**
3 may alter or amend the boundaries of those zones if the authority
4 holds a public hearing on the alteration or amendment using the
5 procedures under section 4(2), (3), and (4).

6 (3) The authority shall be a public body corporate that may
7 sue and be sued in a court of competent jurisdiction. The authority
8 possesses all the powers necessary to carry out the purpose of its
9 incorporation. The enumeration of a power in this act is not a
10 limitation upon the general powers of the authority. The powers
11 granted in this act to an authority may be exercised whether or not
12 bonds are issued by the authority.

13 (4) An authority established by a county shall exercise its
14 powers with respect to eligible property within a city, village, or
15 township within the county only if that city, village, or township
16 has concurred **BY RESOLUTION** with the provisions of a brownfield
17 plan that apply to that eligible property within the city, village,
18 or township.

19 (5) A city, village, or township including a city, village, or
20 township that is a qualified local governmental unit may enter into
21 a written agreement with the county in which that city, village, or
22 township is located to exercise the powers granted to that specific
23 city, village, or township under this act.