

# HOUSE BILL NO. 4531

March 17, 2021, Introduced by Reps. Filler, Calley and Whitsett and referred to the Committee on Elections and Ethics.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending sections 702 and 703 (MCL 380.702 and 380.703), as  
amended by 2003 PA 299.

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

1           Sec. 702. (1) An intermediate school district may be annexed  
2 to another intermediate school district if the intermediate school  
3 board of the annexing intermediate school district approves the  
4 annexation by resolution, and a majority of the school electors of

1 the intermediate school district to be annexed voting on the  
2 question at a regular or special school election in the  
3 intermediate school district approve the annexation. If ~~prior to~~  
4 **before** annexation the annexing intermediate school district adopts  
5 a special education program by referendum as provided in part 30,  
6 the intermediate school electors of the intermediate school  
7 district to be annexed must vote to adopt that special education  
8 program and annual tax rate. The vote on the question ~~shall~~**must** be  
9 by ballot furnished by the school district filing official for the  
10 intermediate school district to be annexed. Before the election is  
11 held, the annexing intermediate school board ~~shall~~**must** obtain the  
12 approval of the superintendent of public instruction of the  
13 proposed annexation.

14 (2) Within 10 days after the election, the school district  
15 filing official shall file the result with the secretary of the  
16 intermediate school board, and 5 days later the intermediate school  
17 board secretary shall file the election result with the secretary  
18 of the intermediate school board of the annexing intermediate  
19 school district. Within 15 days after the annexation election the  
20 intermediate school board of the annexed intermediate school  
21 district shall account to the intermediate school board of the  
22 annexing intermediate school district for the money and property in  
23 its hands and shall turn over the money and property to that  
24 intermediate school board. Property and money belonging to the  
25 annexed intermediate school district becomes the property of the  
26 annexing intermediate school district. The outstanding indebtedness  
27 of the annexed intermediate school district becomes the liability  
28 of the annexing intermediate school district. Upon receipt of the  
29 money and property, the members of the annexed intermediate school

1 board shall be released from liability for the money and property  
2 and their offices terminated.

3 (3) The annexation is effective on the latest date on which  
4 the election was held in a constituent district of the annexed  
5 intermediate school district. The secretary of the intermediate  
6 school board of the annexing intermediate school district shall  
7 give written notice of the annexation to the superintendent of  
8 public instruction within 15 days after the annexation election.  
9 Within 30 days after annexation, the board of the annexing  
10 intermediate school district shall appoint 2 school electors of the  
11 annexed intermediate school district to membership on the  
12 intermediate school board of the reorganized intermediate school  
13 district, who shall serve until January 1. ~~or, if the intermediate~~  
14 ~~school district's regular school election is held in May, until~~  
15 ~~July 1 after the next intermediate school district election.~~  
16 Notification of the appointments ~~shall~~**must** be filed with the  
17 superintendent of public instruction. If the appointments are not  
18 made within the 30 days, the superintendent of public instruction  
19 shall make the appointments. At the next intermediate school  
20 district election, members of the intermediate school board shall  
21 be elected in the number and for the terms required in section 701.  
22 The terms of the members of the intermediate school board whose  
23 terms have not expired ~~shall~~ determine the terms of the additional  
24 members to be elected.

25 Sec. 703. (1) An intermediate school district comprised of  
26 less than 5 constituent districts and having no bonded indebtedness  
27 may be disorganized and its constituent districts attached to  
28 contiguous intermediate school districts under this section.

29 (2) The board of each constituent district may request the

1 intermediate school board to prescribe a plan for disorganization  
2 of the intermediate school district. Each request ~~shall~~**must**  
3 designate another intermediate school district to which the  
4 constituent district desires to be attached. The intermediate  
5 school board shall prescribe, by resolution, a plan under which  
6 each of the constituent districts will be attached in whole to  
7 contiguous intermediate school districts designated in the  
8 requests. If the designated intermediate school district is not  
9 contiguous, the intermediate school board's plan may prescribe  
10 attachment to a contiguous intermediate school district.

11 (3) The intermediate superintendent of the intermediate school  
12 district that is to be disorganized shall give 30 days' notice of  
13 the time and place of the meeting of the intermediate school board  
14 and of the proposed plan for disorganization by publication of the  
15 notice in a newspaper of general circulation in the intermediate  
16 school district. The intermediate school board shall present the  
17 adopted plan for dissolution to the board of each of its  
18 constituent districts and to the intermediate school board of each  
19 intermediate school district whose boundaries would be enlarged by  
20 the proposal.

21 (4) The intermediate superintendent of each intermediate  
22 school district whose boundaries would be enlarged by the  
23 dissolution shall give 30 days' notice of the time and place of the  
24 meeting of the intermediate school board and of the recommended  
25 plan for enlargement of the intermediate school district by  
26 publication of the notice in a newspaper of general circulation in  
27 the intermediate school district.

28 (5) If the intermediate school board of each affected  
29 intermediate school district approves the plan for disorganization,

1 the intermediate school board of the intermediate school district  
 2 to be dissolved shall refer the matter to the superintendent of  
 3 public instruction for approval. The action of the superintendent  
 4 of public instruction declaring the intermediate school district  
 5 dissolved is final. Disorganization of the intermediate school  
 6 district and attachment of its constituent districts to contiguous  
 7 intermediate school districts takes effect on July 1 after the date  
 8 of the approval of the superintendent of public instruction.

9 (6) The intermediate school boards of the intermediate school  
 10 districts to which territory is attached by dissolution shall meet  
 11 jointly, sitting as a single board, and make an equitable  
 12 distribution of the money, property, and other assets belonging to  
 13 the disorganized intermediate school district among the  
 14 intermediate school districts affected. The territory of  
 15 constituent districts transferred to other intermediate school  
 16 districts by dissolution ~~shall be~~ **are** subject to all taxes levied  
 17 for purposes of the intermediate school district to which  
 18 transferred, including taxes for the retirement of bonded  
 19 indebtedness, special education programs, and area vocational-  
 20 technical education programs.

21 (7) Within 30 days after a district attaches to a contiguous  
 22 intermediate school district under this section, the board of the  
 23 intermediate school district whose boundaries have been enlarged by  
 24 the dissolution may appoint 2 school electors of constituent  
 25 districts, 1 of whom shall be an elector of the attached district,  
 26 to membership on the intermediate school board. Intermediate school  
 27 board members appointed under this subsection serve until January  
 28 1. ~~er, if the intermediate school district's regular school~~  
 29 ~~election is held in May, until July 1 after the next intermediate~~

1 ~~school district election.~~ The intermediate school board may  
2 determine 1 initial term of less than 6 years for 1 of the  
3 additional members to be elected at the intermediate school  
4 district election. Notification of an appointment ~~shall~~**must** be  
5 filed with the superintendent of public instruction.

6       Enacting section 1. This amendatory act does not take effect  
7 unless Senate Bill No. \_\_\_\_\_ or House Bill No. 4530 (request no.  
8 02140'21) of the 101st Legislature is enacted into law.