

Legislative Analysis



ALTERNATIVE POSTING OF LEGAL NOTICES BY LOCAL GOVERNMENTAL UNITS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5845

Sponsor: Rep. Joe Haveman

House Bill 5847

Sponsor: Rep. Sharon Tyler

House Bill 5853

Sponsor: Rep. Richard Hammel

House Bill 5848

Sponsor: Rep. Douglas Geiss

House Bills 5916 and 5917

Sponsor: Rep. Pete Lund

Committee: Judiciary

Complete to 5-11-10

A SUMMARY OF HOUSE BILLS 5845, 5847, 5848, 5853, 5916, AND 5917 AS INTRODUCED BETWEEN 2-18-10 AND 3-2-10

The bills would allow a local unit of government to satisfy legal notice requirements by posting a legal notice online or on a public access cable television channel rather than in a newspaper.

Under the bills, except as otherwise specifically provided by law and notwithstanding any charter provision or ordinance, a local unit of government that was required to publish a legal notice in a newspaper of general circulation in that municipality could satisfy the requirement by posting the legal notice in the office of the municipality's clerk and on at least one of the following:

- The municipality's website.
- The website of the newspaper designated by the municipality as its official newspaper of general circulation.
- The municipality's public access cable television channel.

House Bill 5845 would amend the Charter Township Act (MCL 42.1b) to apply the new provision to charter townships.

House Bill 5847 would amend Chapter 16 of the Revised Statutes of 1846, to apply to townships (MCL 41.1c).

House Bill 5848 would add the new provision to the Home Rule City Act (MCL 117.4t) to apply to cities.

House Bill 5853 would amend Public Act 156 of 1851 (MCL 46.10d), to apply the new provision to counties.

House Bill 5917 would amend the Home Rule Village Act (MCL 78.1c) to apply the alternative posting to villages.

House Bill 5916 would amend the General Law Village Act (MCL 62.1 et al.) to apply the alternative posting to general law villages. In addition, in several provisions pertaining to a requirement for a general law village to publish notice of a meeting, adoption of an ordinance, or synopsis of an ordinance in a newspaper of general circulation, the bill would also allow the general law village to instead post the ordinance, the synopsis of the ordinance, or the meeting notice in the office of the village clerk and on at least one of the following:

- The village's website.
- The website of the newspaper designated by the village as the official newspaper of general circulation in the village.
- The village's public access cable television channel.

FISCAL IMPACT:

A fiscal analysis is in process.

Legislative Analyst: Susan Stutzky

■ 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.