

THE REVISED SCHOOL CODE (EXCERPT)
Act 451 of 1976

380.860 Submitting questions of assuming bonded indebtedness or increasing constitutional limitation on taxes; form; payment of bonded indebtedness; applicability of MCL 380.864.

Sec. 860.

(1) If the petitions filed with a school district filing official under section 853 request submission of the question of assuming the bonded indebtedness of 1 or more of the school districts proposing consolidation, or the question of increasing the constitutional limitation on taxes of the consolidated school district for operating purposes to the school electors at the consolidation election, the school district filing official shall include the question or questions in the notice of the election ballot questions filed with each of the election units.

(2) A request for including assumption by the consolidated school district of the bonded indebtedness of 1 or more of the districts proposing consolidation shall be stated on the petition after the names of the school districts to be consolidated in substantially the following form:

"We petition that the question of assumption and payment
by the proposed consolidated school district of the bonded
indebtedness of _____ be
(name of school district or districts)

submitted to the electors at the same election in which the
proposed consolidation is submitted"; and if applicable,

"We petition that the question of increasing the constitutional limitation on taxes which may be assessed against all property in the proposed consolidated school district by _____ mills for a period of _____ years, ____ to ____, inclusive, for operating purposes, be submitted to the electors at the same election with the question of consolidating the above listed districts".

(3) If the school electors approve the consolidation of school districts and the assumption of the bonded indebtedness of an original district, the consolidated school district shall assume the obligation of the bonded indebtedness. The consolidated school district shall pay the bonded indebtedness by spreading debt retirement taxes uniformly over the territory of the consolidated district. Section 864 applies to the debt retirement tax levies, the continuing obligations of the original school districts, and the rights and remedies of a bondholder.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977 ;-- Am. 2003, Act 299, Eff. Jan. 1, 2005

Popular Name: Act 451