



**Senate Fiscal Agency**  
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## BILL ANALYSIS



**Telephone: (517) 373-5383**  
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House Bill 5404 (as reported without amendment)  
Sponsor: Representative Dale W. Zorn  
House Committee: Local, Intergovernmental, and Regional Affairs  
Senate Committee: Local Government and Elections

**CONTENT**

The bill would amend the Land Division Act to require a municipality to reject a proposed division or a plat that did not provide vehicular access to a cemetery by an existing road or street.

The Act prescribes criteria that a proposed division must meet in order to be approved by a municipality, and requires a complete application to be approved if the criteria are met. The criteria include a requirement that each resulting parcel be accessible. The bill would include among these conditions that the division did not isolate a cemetery so that it did not meet either of the requirements of Section 102(j).

Under that section, a parcel is accessible if it meets at least one of the following requirements:

- Has an area where a driveway provides vehicular access to an existing road or street and meets all applicable location standards of the Michigan Department of Transportation or a county road commission and the city or village, or has an area where a driveway can provide such access and meet all of the standards.
- Is served by an existing agreement that provides vehicular access to an existing road or street and that meets all applicable location standards, or can be served by a proposed easement that will provide such access and meet the standards.

The Act also contains provisions regarding the approval of a plat, as well as circumstances under which a municipality's governing body must reject a plat. Under the bill, rejection also would be required if a plat isolated a cemetery so that it did not meet the vehicular access requirements described above.

MCL 560.109 & 560.182

Legislative Analyst: Julie Cassidy

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 12-6-12

Fiscal Analyst: David Zin