



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5404 (as passed by the House)
Sponsor: Representative Dale W. Zorn
House Committee: Local, Intergovernmental, and Regional Affairs
Senate Committee: Local Government and Elections

Date Completed: 11-8-12

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.

Fiscal Analyst: David Zin

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.