



Senate Fiscal Agency
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Senate Bill 1080 (as enacted)
Sponsor: Senator Rick Outman
Senate Committee: Environmental Quality
House Committee: Natural Resources and Outdoor Recreation
Ways and Means

PUBLIC ACT 221 of 2020

Date Completed: 3-15-21

CONTENT

The bill amended Part 307 (Inland Lake Levels) of the Natural Resources and Environmental Protection Act to extend length of bonds and notes issued by a special assessment district, from 10 to 40, years after the date of issuance.

Under Part 307, if a county board, based on a preliminary study of a lake-level project, finds it expedient to have and resolves to have determined and established the normal level of an inland lake, the board must direct the prosecuting attorney or other legal counsel of the county to initiate a proceeding by proper petition in the court of that county for determining the normal level for that lake and for establishing a special assessment district if the board determines by resolution that one is necessary.

("Normal level" means the level or levels of the water of an inland lake that provided the most benefit to the public; that best protect the public health, safety, and welfare; that best preserve the natural resources of the State; and that best preserve and protect the value of the property around the lake. A normal level must be measured and described as an elevation based on national geodetic vertical datum.)

Previously, the special assessment district could issue bonds or lake level orders in anticipation of special assessments. Under the bill, instead, a special assessment district may issue any of the following in anticipation of the collection of special assessments:

- Bonds or notes that must be payable by special assessments under Part 307 and may not be issued exceeding the cost of the lake level project that is being financed.
- Lake level orders.

Bonds or notes issued for these purposes have a final maturity date of no more than 40 years after the date of original issuance.

Formerly, the Act allowed the special assessment district to issue notes in anticipation of special assessments made against lands in the special assessment district or public corporation at large. The final maturity of the notes was required to be no later than 10 years from their date. The notes were subject to the Revised Municipal Finance Act. The bill removed this language.

The bill took effect on October 16, 2020.

MCL 324.30705

Legislative Analyst: Dana Adams

FISCAL IMPACT

The bill has no fiscal impact on State or local government.

Fiscal Analyst: Ryan Bergan