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BILL ANALYSIS

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Senate Bill 526 (as reported without amendment)
Sponsor: Senator Jeremy Moss
Committee: Local Government

CONTENT

The bill would amend Part 801 (Marine Safety) of the Natural Resources and Environmental Protection Act to require the Department of Natural Resources (DNR) to grant a political subdivision's request for a special rule on a body of water controlled by the political subdivision if the request concerned a lake without public access and was supported by 75% or more of the properties with riparian rights.[1]

MCL 324.80110 & 324.80112

BRIEF RATIONALE

According to testimony, there is a small lake with private access in Bloomfield Township that was historically used for small fishing boats, sailing, canoeing, and kayaking rather than sports. Residents on the lake pay a local lake board to maintain the lake. The homeowner's association (HOA) banned high powered electric motors on the lake at the request of the board to better preserve the lake; however, the Department of Natural Resources (DNR) has authority over boating restrictions on all lakes in Michigan, and the HOA did not get approval for this ban from the DNR, which resulted in the DNR denying the ban. Though residents support the ban on high powered electric motors on the lake, the DNR denial was upheld and there are no other avenues to reinstate the ban. As a result, the bill was introduced so that when at least 75% of residents want to change a rule for a private access lake, the DNR would have to grant the request.

Legislative Analyst: Lauren J. Lahie

FISCAL IMPACT

The bill would not have a direct fiscal impact on local government units. The bill could have a negative fiscal impact on local government units if a local government decided to adopt and enforce an ordinance on lakes without public access. The fiscal impact to the local government unit would be determined by its decision to adopt and enforce the ordinance.

Date Completed: 9-25-26

Fiscal Analyst: Bobby Canell
Jonah Houtz

[1] Generally, riparian rights refer to the rights that come with the ownership of land on the bank or shore of an inland lake or stream.

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.