

SENATE BILL NO. 526

September 04, 2025, Introduced by Senator MOSS and referred to Committee on Local Government.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 80110 and 80112 (MCL 324.80110 and 324.80112),
section 80110 as amended by 2020 PA 72 and section 80112 as amended
by 2006 PA 237.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 80110. (1) Except as provided under section 80112a, the
2 department may initiate an investigation and inquiry into the need
3 for a special rule for the use of vessels, water skis, water sleds,
4 aquaplanes, surfboards, or other similar contrivances on any of the

1 waters of this state to ~~assure~~**ensure** compatibility of uses and to
2 protect public safety. If the department receives a resolution
3 under section 80112, the department shall **do 1 of the following, as**
4 **applicable:**

5 (a) If the request concerns a lake without public access, and
6 the request is supported by a petition containing signatures from
7 the owners representing 75% or more of the properties with riparian
8 rights, grant the request. If the department grants the request,
9 the political subdivision may adopt and enforce an ordinance as
10 described in the request. Subsections (2) to (6) and section 80111
11 do not apply to the ordinance.

12 (b) If subdivision (a) does not apply, initiate an
13 investigation and inquiry under this subsection.

14 (2) The department's investigation and inquiry under
15 subsection ~~(1)~~**(1) (b)** into whether a special rule is needed on a
16 water body must include consideration of ~~all of the~~ following:

17 (a) Whether the activities subject to the proposed rule pose
18 any issues of safety to life or property.

19 (b) The profile of the water body, including the name of the
20 political subdivision with jurisdiction, size, geographic location,
21 and amount of vessel traffic.

22 (c) The current and historical depth of the water body,
23 including whether there is an established lake level.

24 (d) Whether any special problems or conditions exist on the
25 water body for the activities subject to the proposed rule, such as
26 rocks, pier heads, swimming areas, public access sites, shallow
27 waters, and submerged obstacles.

28 (e) Whether the proposed rule would unreasonably interfere
29 with normal navigational traffic.

1 (f) Whether user conflicts exist on the water body.

2 (g) Complaints received by local law enforcement agencies
3 regarding activities on the water body.

4 (h) The status of any accidents that have occurred on the
5 water body.

6 (i) Historical uses of the water body and potential future
7 uses of the water body.

8 (j) Whether the water body is public or private.

9 (k) Whether existing law adequately regulates the activities
10 subject to the proposed rule.

11 (3) Following completion of the department's investigation and
12 inquiry under subsection ~~(1)~~, **(1) (b)**, the department shall prepare
13 a preliminary report that includes the department's evaluation of
14 the items listed in subsection (2) and a preliminary recommendation
15 as to whether a special rule is needed for the water body.

16 (4) On ~~preparation~~**completion** of the preliminary report under
17 subsection (3), the department shall provide a copy of the
18 preliminary report to the political subdivision and schedule a
19 public hearing in the vicinity of the water body to gather public
20 input on the preliminary report and the need for a special rule.
21 The department shall provide notice of the public hearing in a
22 newspaper of general circulation in the area where the water body
23 is located not less than 10 days before the hearing. At the public
24 hearing, any interested person may comment on the preliminary
25 report and the need for a special rule, either orally or in
26 writing.

27 (5) Within 90 days after the public hearing under subsection
28 (4), if the department determines that a special rule is needed for
29 the water body, the department shall propose a local ordinance or

1 appropriate changes to a local ordinance. If the department
 2 determines that a special rule is not needed, the department shall
 3 notify the political subdivision and provide the specific reasons
 4 for the determination.

5 (6) A determination by the department under this section that
 6 a special rule is not needed for the water body may be appealed to
 7 the director by the political subdivision. The director shall make
 8 the final agency decision on whether a special rule is needed for
 9 the water body.

10 (7) As used in this section, "water body" includes all or a
 11 portion of a water body.

12 Sec. 80112. ~~Local~~ **Following a public hearing, the governing**
 13 **body of a** political subdivisions ~~that believe~~ **subdivision may adopt**
 14 **a resolution informing the department** that a special local
 15 ~~ordinances of the type authorized by this part are~~ **ordinance as**
 16 **described in section 80110(1) is** needed on waters subject to ~~their~~
 17 **the political subdivision's** jurisdiction. ~~shall inform the~~
 18 ~~department and request assistance. All such requests shall be in~~
 19 ~~the form of an official resolution approved by a majority of the~~
 20 ~~governing body of the concerned political subdivision following a~~
 21 ~~public hearing on the resolution. Upon receipt of a resolution~~
 22 ~~under this section,~~ **Except as provided in section 80110(1)(a), upon**
 23 **receipt of the resolution,** the department shall proceed as required
 24 by sections 80110 and 80111.