

MEMORANDUM

TO: Real Property Law Section Council

FROM: Jason Long

DATE: July 17, 2023

SUBJECT: Legislative Committee Report

1. **Monthly Call.** Since the last RPLS Council meeting, the ad hoc Legislative Committee met via conference call on June 6, 2023 and July 11, 2023 to discuss recent legislation.
2. **Current status.** David and Mike had calls with Tabitha Zimney from Karoub & Associates on June 6, 2023 and July 11, 2023. The Legislature is on break until September. Tabitha advised that now is a good time to set up calls with bill sponsors.

Tabitha sent the attached memo from Representative Dievendorf's office. She is working on introducing a comprehensive set of housing bills, including a tenant's bill of rights.

3. **Legislation of interest.**

- a. **MRTA.** David submitted a proposed amendment to MRTA to fix the EGLE/utilities legislation. Rep. John Fitzgerald is on board to sponsor our bill. Tabitha has heard from the utilities, and they have no opposition to our bill. No word from EGLE about our bill. RPLS Council had no quarrel with our recommendation to not further revise our bill to accommodate MSHDA. Tabitha reported that MSHDA is backing off of any amendments to MRTA.

David had a call on May 30 with Tabitha, Evie Zois Sweeney, the ICSC's lobbyist, and Adam Rothstein, Emily D'Agostini, Ed Eickhoff, and Jim Ryan, all pushing for changes regarding commercial easements and restrictions. They are looking for MRTA to cut off commercial use restrictions and reciprocal easements similar to the 1950 cutoff for subdivisions.

They were aware of our "technical" fix that Rep. Fitzgerald is introducing but did not have the full MRTA reform package. David sent that to them.

They understand that the utility/EGLE amendments last year effectively exempt all easements and restrictions from the act (and like that just fine). They think that any fix should take on the broader issues now rather than later.

Tabitha reported that Rep. Fitzgerald asked about pursuing the comprehensive fix. Tabitha is setting up another call with the ICSC representatives, so we can understand exactly what they want, and why. Tabitha also suggested pursuing the quick fix and the comprehensive fix at the same time.

Mike and Tabitha had a call on June 9, 2023 with ICSC representatives. David sent the ICSC representatives markups of the MRTA, as recently amended as the base, with our quick fix and comprehensive fix redlined. The ICSC representatives were scheduled to have a meeting on June 20. On July 10, 2023, we received the attached markup of our bill.

Tabitha advised that Representative Fitzgerald is willing to introduce both bills, but before introducing the comprehensive bill, he wants to chat with the ICSC representatives to make sure we are on the same page.

- b. **TBE bills.** Tabitha has identified 2-3 legislators who would be willing to sponsor these bills. David has sent Tabitha a list of statutes to be amended. Representative Emily Dievendorf is working on drafting the TBE bills.

David also sent to Tabitha the attached draft of additional legislation, with the following explanation:

As I mentioned on one of our calls, because tenancy by the entirety is a combination of common law and statute, the 2015 package of bills requested by Sen. Jones included a tenancy by the entirety act to ensure that the common law applies to same sex marriage. That draft included a wish list from the Estate Planning & Probate Section changing existing law to add all personal property and then adding exceptions intended to account for why my wife and I should not have an undivided interest in each other's shoes.

The attached draft limits the effect of the act to property covered by existing law -- real property and only the personal property currently covered by statute, MCL 557.151. The Estate Planning & Probate Section or others might take a run at expanding tenants by the entirety, but I think we would be well advised to keep those out of this bill or the package.

For that reason, we may have more concern with just handing this off to Rep. Dievendorf and LSB than we had with the other list of statutes. If possible, we would also like to get this into the mix before we have to work off of someone else's draft.

This additional bill is with Rep. Dievendorf. We should consider asking Council to pass a resolution supporting this legislation.

Fourteen bills have been introduced. All are tie-barred with HJR F'23 (apparently to make a political statement). The additional bill (codifying common law) has not been introduced. Until the additional bill is passed, creditors of same-sex spouses can reach entireties property.

- c. HB 4416 Substitute Bill (Restrictive Covenants) – Now law. HB 4416 of 2021 Property: other; certain restrictive covenants in deeds and other instruments; prohibit. Creates new act.

This bill passed, without our suggested language pertaining to the capacity of the signer (individual or representative of an association). Senator Sarah Anthony indicated that she

would work with us on an amendment. David sent Tabitha proposed language to share with Senator Anthony. Senator Anthony received it.

- d. Kessler opinion. Bottom line is that the purchaser at a mortgage foreclosure sale can wait until the day before the redemption period expires to record the sheriff's deed, and the redemption period will expire the following day. This will undoubtedly result in problems for sellers, buyers, lenders and title insurers unaware of a recently recorded sheriff's deed.

It is contrary to MLTS 16.28.

RPLS Council passed a resolution supporting our proposed amendments to MCL 600.3232 and MCL 600.3240.

Mike and Tabitha met with Representative Samantha Steckloff on June 21, 2023. Representative Steckloff agreed to sponsor our bills.

- e. UPOAA. The uniform power of attorney bills are moving forward. Tabitha contacted the sponsors and Rep. Kelly Breen (Chair of Judiciary) to advise them of our objections. David, Mike, Tom Kabel, Dawn Patterson and Jason Long worked with representatives of the Probate and Estate Planning Section to come up with some language that alleviated our concerns with the bills.

4. **New Proposed Legislation.**

- [HB 4708 of 2023](#) Property tax: exemptions; electric vehicle charging stations; exempt. Amends secs. 27 & 34d of 1893 PA 206 (MCL 211.27 & 211.34d) & adds sec. 7yy.
- [HB 4717 of 2023](#) Occupations: real estate; continuing education hours for real estate brokers and salespersons; revise requirements. Amends sec. 2504a of 1980 PA 299 (MCL 339.2504a).
- [HB 4724 of 2023](#) Individual income tax: property tax credit; credit for disabled veterans or widow or widower of disabled veterans who rent or lease a homestead; increase. Amends secs. 506, 520, 522 & 530 of 1967 PA 281 (MCL 206.506 et seq.).
- [HB 4741 of 2023](#) Property tax: exemptions; disabled veteran exemption; hold local taxing units harmless for. Amends sec. 7b of 1893 PA 206 (MCL 211.7b).
- [HB 4765 of 2023](#) Taxation: farmland and open space; certain references in the farmland and open space preservation statute; make gender neutral. Amends sec. 36109 of 1994 PA 451 (MCL 324.36109). TIE BAR WITH: HJR F'23
- [HB 4772 of 2023](#) Property: other; certain references in qualities of estates in real and personal property; make gender neutral. Amends sec. 45 of 1846 RS 62 (MCL 554.45). TIE BAR WITH: HJR F'23
- [HB 4773 of 2023](#) Property: other; community property act; revise gender-specific language. Amends secs. 3 & 4 of 1948 (1st Ex Sess) PA 39 (MCL 557.253 & 557.254). TIE BAR WITH: HJR F'23

- [HB 4774 of 2023](#) Property: personal; act allowing ownership of certain personal property as tenancy by the entireties; revise gender-specific language. Amends title & sec. 1 of 1927 PA 212 (MCL 557.151). TIE BAR WITH: HJR F'23
- [HB 4778 of 2023](#) Taxation: other; certain references in the real estate transfer tax act; make gender neutral. Amends sec. 5 of 1966 PA 134 (MCL 207.505). TIE BAR WITH: HJR F'23
- [HB 4783 of 2023](#) Property tax: special assessments; certain references in act providing for deferment of special assessments on certain homesteads; make gender neutral. Amends sec. 4 of 1976 PA 225 (MCL 211.764). TIE BAR WITH: HJR F'23
- [HB 4792 of 2023](#) Property tax: other; act regarding the right to manage and contract entireties property; revise gender-specific language. Amends title & sec. 1 of 1975 PA 288 (MCL 557.71). TIE BAR WITH: HJR F'23
- [HB 4794 of 2023](#) Businesses: associations; certain references in the incorporation of summer resort owners act; make gender neutral. Amends sec. 8 of 1929 PA 137 (MCL 455.208). TIE BAR WITH: HJR F'23
- [HB 4796 of 2023](#) Property tax: other; certain references in the general property tax act; make gender neutral. Amends sec. 27a of 1893 PA 206 (MCL 211.27a). TIE BAR WITH: HJR F'23
- [HB 4797 of 2023](#) Property tax: other; act regarding survivorship of entireties interest in mortgages and land contracts; revise gender-specific language. Amends title & sec. 1 of 1925 PA 126 (MCL 557.81). TIE BAR WITH: HJR F'23
- [HB 4798 of 2023](#) Businesses: limited liability companies; certain references in the Michigan limited liability company act; make gender neutral. Amends sec. 504 of 1993 PA 23 (MCL 450.4504). TIE BAR WITH: HJR F'23
- [HB 4807 of 2023](#) Property tax: other; act regarding termination of tenancy by the entireties; revise gender-specific language. Amends sec. 1 of 1927 PA 210 (MCL 557.101). TIE BAR WITH: HJR F'23
- [HB 4809 of 2023](#) Natural resources: gas and oil; certain references in the oil and gas mining statute; make gender neutral. Amends sec. 4 of 1941 PA 178 (MCL 319.104). TIE BAR WITH: HJR F'23
- [HB 4812 of 2023](#) Property: ownership interests; rights and liabilities of married women act; revise gender-specific language. Amends secs. 1, 4, 5 & 6 of 1981 PA 216 (MCL 557.21 et seq.). TIE BAR WITH: HJR F'23
- [HB 4813 of 2023](#) Property: other; act validating conveyances made by attorney in fact; revise gender-specific language. Amends sec. 2 of 1861 PA 21 (MCL 565.602). TIE BAR WITH: HJR F'23
- [HB 4818 of 2023](#) Housing: landlord and tenants; use of prospective tenant's credit scores as a deciding factor for lease eligibility; prohibit. Amends 1972 PA 348 (MCL 554.601 - 554.616) by adding sec. 1c. **Tabitha reports that this is unlikely to pass.**
- [HB 4829 of 2023](#) Michigan business tax: credits; time frame for completion of certain multiphase projects; modify. Amends sec. 437 of 2007 PA 36 (MCL 208.1437).

- [HB 4832 of 2023](#) Natural resources: inland lakes; structure or fill on inland lake or stream bottomlands; authorize DEGLE to issue emergency order concerning. Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 30111d.
- [HB 4835 of 2023](#) Cities: home rule; private road maintenance or improvement projects; allow. Amends 1909 PA 279 (MCL 117.1 - 117.38) by adding sec. 5l.
- [HB 4836 of 2023](#) Land use: land division; number of parcels resulting from division; modify. Amends sec. 108 of 1967 PA 288 (MCL 560.108).
- [HB 4837 of 2023](#) Construction: contracts; prompt payment law; establish for contractors to pay subcontractors and suppliers in a timely manner. Creates new act. **The Legislative Committee recommends that Council pass a resolution opposing this legislation.**
- [HB 4840 of 2023](#) Energy: alternative sources; grants for residential customers who install electric generators and storage systems; provide for. Amends 2008 PA 295 (MCL 460.1001 - 460.1211) by adding pt. 8.
- [HB 4857 of 2023](#) Agriculture: plants; classification of milkweed as a noxious or exotic weed by local governments; prohibit. Amends sec. 2 of 1941 PA 359 (MCL 247.62).
- [HB 4858 of 2023](#) Agriculture: pesticides; use of neonicotinoid insecticides; regulate. Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 8307g.
- [HB 4866 of 2023](#) Townships: charter; procedures to approve annexation petition; revise. Amends sec. 34 of 1947 PA 359 (MCL 42.34).
- [HB 4868 of 2023](#) Construction: public buildings; placement of certain antennas in relation to fire stations; prohibit. Amends 1972 PA 230 (MCL 125.1501 - 125.1531) by adding sec. 4i.
- [HB 4878 of 2023](#) Housing: other; Michigan fair chance access to housing act; create. Creates new act.
- [HB 4879 of 2023](#) Local government: other; sanctuary policy prohibition act; create. Creates new act.
- [HB 4881 of 2023](#) Property: land sales; prohibition for foreign entity to purchase farmland in Michigan; provide for. Amends title & secs. 35 & 36 of 1846 RS 66 (MCL 554.135 & 554.136) & adds secs. 36a & 36b.
- [HB 4882 of 2023](#) Economic development: other; economic incentives to certain foreign countries and entities; prohibit. Amends 1984 PA 270 (MCL 125.2001 - 125.2094) by adding sec. 7c. **Tabitha reports that this and 4881 are unlikely to move.**
- [SB 0379 of 2023](#) Property tax: exemptions; exemption for disabled veterans; modify. Amends sec. 7b of 1893 PA 206 (MCL 211.7b).
- [SB 0397 of 2023](#) Housing: housing development authority; principal amount for outstanding bonds and notes; increase. Amends sec. 32 of 1966 PA 346 (MCL 125.1432).
- [SB 0398 of 2023](#) Natural resources: inland lakes; structure or fill on inland lake or stream bottomlands; authorize DEGLE to issue emergency order concerning. Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 30111d.
- [SB 0408 of 2023](#) Civil procedure: execution; procedures for collection of judgments; revise. Amends secs. 2807, 4011, 4015, 4031, 4061a, 6023, 6027, 6059 & 6104 of 1961 PA 236 (MCL 600.2807 et seq.) & adds secs. 4001a, 4032, 4033, 6001a, 6023b, 6023c, 6023d, 6023e, 6023f, 6023g & 6023h.

[SB 0409 of 2023](#) Civil procedure: bankruptcy; bankruptcy exemptions; modify. Amends sec. 5451 of 1961 PA 236 (MCL 600.5451).

[SB 0417 of 2023](#) Housing: housing development authority; pass-through short-term bond financing program; modify. Amends sec. 44c of 1966 PA 346 (MCL 125.1444c).

[SB 0451 of 2023](#) Construction: contracts; prompt payment law; establish for contractors to pay subcontractors and suppliers in a timely manner. **The Legislative Committee recommends that Council pass a resolution opposing this legislation.**

5. Old Business.

[HB 4023 of 2023](#) Environmental protection: underground storage tanks; placement distance of underground storage tanks from a public water supply system; revise. Amends sec. 21102a of 1994 PA 451 (MCL 324.21102a) & adds sec. 21102b.

[HB 4052 of 2023](#) Property tax: assessments; transfer of ownership of certain real property to certain individuals; exempt from uncapping of taxable value upon transfer. **This exempts from uncapping transfers to a son-in-law or daughter-in-law. Tabitha advised that this is unlikely to go anywhere since the sponsor is out of favor with both caucuses.**

[HB 4062 of 2023](#) HB 4062 amends the landlord-tenant statute to prohibit discrimination based on source of income but is very broadly stated. **This would probably be one worthy of review to see if there are revisions we should suggest to avoid problems. Tabitha reported that this is not on a fast track, and that some amendments are being worked on. Attached is Rebecca's analysis. David offered to review to determine if further changes are warranted.**

[HB 4063 of 2023](#) HB 4063 amends the Elliott-Larsen Civil Rights Act in much simpler terms to prohibit discrimination in real estate transaction based on source of income. It should probably be a model for HB 4062.

[HB 4273 of 2023](#) Requires condemnation notifications to tenants.

[HB 4306 of 2023](#) Property tax: assessments; determination of taxable value; modify. Amends sec. 27a of 1893 PA 206 (MCL 211.27a). This bill would generally change the basis for calculating taxable value to a three-year average or the current year plus the inflation rate, whichever is less.

[HB 4307 of 2023](#) Property tax: assessments; determination of true cash value; modify. Amends sec. 27 of 1893 PA 206 (MCL 211.27). TIE BAR WITH: HB 4306'23. This bill would generally change the basis for calculating assessed value to a three-year average.

[HB 4309](#) Transportation Department Appropriations. Provides appropriations for fiscal year 2023-2024.

[HB 4312](#) Nonprofit Corporations. Authorizes conversion of summer resort associations into nonprofit corporations.

[HB 4313](#) Nonprofit Corporations. Authorizes conversion of summer resort associations into nonprofit corporations.

[HB 4317 of 2023](#) Property tax: payment in lieu of taxes; payment in lieu of taxes for certain renewable energy facilities; provide for. Creates new act. TIE BAR WITH: HB 4318'23

[HB 4318 of 2023](#) Property tax: payment in lieu of taxes; payment in lieu of taxes for renewable energy facilities; provide for. Amends secs. 9 & 9f of 1893 PA 206 (MCL 211.9 & 211.9f). TIE BAR WITH: HB 4317'23

[HB 4327 of 2023](#) adds ethnicity, including specifically Jewish heritage (treated in detail over the course of a couple pages) as a protected class under the Elliot-Larsen civil rights act.

[HB 4329 of 2023](#) Property: land sales; sale or transfer of real property to foreign entities; prohibit. Amends title & secs. 35 & 36 of 1846 RS 66 (MCL 554.135 & 554.136) & adds sec. 36a. This bill would prohibit certain “foreign persons” from acquiring property in Michigan except in certain circumstances and would require foreign persons to divest property holdings. It generally identifies “foreign persons” as persons from countries with “nonmarket” economies or that are state sponsors of terrorism. **Tabitha feels that this is going nowhere.**

[HB 4330 of 2023](#) Property tax: exemptions; property tax exemption for principal residence of certain senior citizens; provide for.

[HB 4332 of 2023](#) Cities: home rule; penalties for certain blight offenders; increase. Amends sec. 4q of 1909 PA 279 (MCL 117.4q). This bill would impose additional penalties for second and third-time blight violators. **According to Tabitha, this could go somewhere, even though the sponsor is an outsider to the Democratic caucus. Possibly poses some due process concerns.**

House Bill 4084 (2023)

Friendly Link: <http://legislature.mi.gov/doc.aspx?2023-HB-4084>

Related to exemption for 2021 personal property taxes and application for exemption extension due to Covid.

[HB 4331](#)

Fire-Damaged Homes

Increases insurance withholding amount for fire-damaged homes and allows for abandoned funds to be used for repairs.

To amend 1956 PA 218 by amending section 2227 (MCL 500.2227), as amended by 2014 PA 509.

[HB 4350 of 2023](#) (tie bar with HB 4351): A bill to establish a state matching grant program for certain property taxes and special assessments levied by certain municipalities; and to provide for the powers and duties of certain state and local governmental officers and entities.

[HB 4351 of 2023](#): A bill to establish a raise up local grant fund for payment of matching state grants authorized by a certain matching grant program for certain property taxes and special assessments

levied by certain municipalities; and to provide for the powers and duties of certain state governmental officers and entities.

[HB 4382 of 2023](#) – Drains: water management districts; chapter 22 of drain code; revise process through determination of sufficiency of petition and proposed boundaries.

[HB 4383 of 2023](#) - Drains: water management districts; chapter 22 of drain code; revise process following determination of sufficiency of petition and proposed boundaries. Amends secs. 559, 560, 561, 562, 563, 564, 565, 569, 570, 571, 572, 573, 574, 576, 577, 578, 580, 581, 582 & 583 of 1956 PA 40 (MCL 280.559 et seq.); adds secs. 561b, 561d, 564b, 569b & repeals secs. 554, 566, 567, 568, 575 & 579 of 1956 PA 40 (MCL 280.554 et seq.). TIE BAR WITH: HB 4382'23

[HB 4416](#)

Probate

Provides general amendments to the estates and protected individuals code.

[HB 4418](#)

Guardians And Conservators

Modifies amount of transfer allowed.

HB 4428: [2023-HIB-4428.pdf \(mi.gov\)](#) – This creates the “local government public notice act” and isn’t directly related to real estate, but it could be worthwhile to inquire if anyone has any concern about how it could potentially affect any real estate matters. It permits local governments to provide public notice via posting on the website.

[HB 4460 of 2023](#): A bill to provide the rearing of egg-laying hens is a permitted use of property under a zoning ordinance and is not subject to a special land use approval or any other approval under this act if both of the following requirements are met: (a) The property is at least 1/4 acre in size and (b) The number of hens does not exceed 5 hens for every 1/4 5 acre of property size or a total of 25 hens, whichever is less.

[HB 4464 of 2023](#) (tie bar with SB 0153'23): Creates "clean and renewable energy and energy waste reduction act"; establishes community solar facilities.

House Bill 4499 (2023)

Friendly Link: <http://legislature.mi.gov/doc.aspx?2023-HB-4499>

Cannot install antennas for 4G or 5G broadband cellular networks, in a new school building, rooftop or adjacent structure to school building or placed with 1,500 feet of school building.

[HB 4532 of 2023](#) Construction: lead abatement; certain definitions in lead abatement provision; modify. Amends secs. 5453, 5454, 5455, 5456, 5457, 5458, 5459, 5460, 5460a, 5461, 5461a, 5462, 5463, 5464, 5465, 5466, 5468, 5469, 5470, 5471, 5472, 5473a, 5474, 5474b, 5474c, 5475, 5476 & 5477 of 1978 PA 368 (MCL 333.5453 et seq.) & repeals sec. 5474b of 1978 PA 368 (MCL 333.5474b [1]).

[HB 4548 of 2023](#) Occupations: notaries public; fee for remote notarization; provide for. Amends sec. 25 of 2003 PA 238 (MCL 55.285).

- [HB 4563 of 2023](#) Property tax: tax tribunal; electronic hearings of the tax tribunal; provide for. Amends sec. 3a of 1976 PA 267 (MCL 15.263a). TIE BAR WITH: HB 4564'23
- [HB 4564 of 2023](#) Property tax: tax tribunal; methods for tax tribunal to hold hearings; expand to include electronically. Amends secs. 26 & 34 of 1973 PA 186 (MCL 205.726 & 205.734). TIE BAR WITH: HB 4563'23
- [HB 4572 of 2023](#) Property tax: assessments; transfer of ownership of certain real property to certain individuals; exempt from uncapping of taxable value upon transfer. Amends sec. 27a of 1893 PA 206 (MCL 211.27a).
- [HB 4593 of 2023](#) Natural resources: other; wildlife feeding; allow under certain conditions. Amends sec. 40111a of 1994 PA 451 (MCL 324.40111a).
- [HB 4596 of 2023](#) Environmental protection: sewage; labeling standards for disposable wipes products; provide for. Creates new act.
- [HB 4597 of 2023](#) Probate: powers of attorney; uniform power of attorney act; create. Creates new act & repeals secs. 5501 - 5505 of 1998 PA 386 (MCL 700.5501 - 700.5505). TIE BAR WITH: HB 4598'23, HB 4599'23
- [HB 4598 of 2023](#) Probate: powers of attorney; reference to powers of attorney in natural resources and environmental protection act; revise to reflect adoption of uniform power of attorney act. Amends sec. 20101b of 1994 PA 451 (MCL 324.20101b). TIE BAR WITH: HB 4597'23
- [HB 4599 of 2023](#) Probate: powers of attorney; reference to powers of attorney in public health code; revise to reflect adoption of uniform power of attorney act. Amends secs. 10121 & 10301 of 1978 PA 368 (MCL 333.10121 & 333.10301). TIE BAR WITH: HB 4597'23
- [HB 4603 of 2023](#) Construction: other; use of design-build constructing for certain school buildings; allow. Amends secs. 1, 1a & 2 of 1937 PA 306 (MCL 388.851 et seq.).
- [HB 4604 of 2023](#) Occupations: architects, professional engineers, and surveyors; design builder; exempt from certain requirements of a firm. Amends sec. 2010 of 1980 PA 299 (MCL 339.2010). TIE BAR WITH: HB 4603'23, SB 0314'23
- [HB 4644 of 2023](#) Probate: powers of attorney; uniform power of attorney act; create. Creates new act & repeals secs. 5501 - 5505 of 1998 PA 386 (MCL 700.5501 - 700.5505). TIE BAR WITH: HB 4645'23, HB 4646'23
- [HB 4645 of 2023](#) Probate: powers of attorney; reference to powers of attorney in natural resources and environmental protection act; revise to reflect adoption of uniform power of attorney act. Amends sec. 20101b of 1994 PA 451 (MCL 324.20101b). TIE BAR WITH: HB 4644'23
- [HB 4646 of 2023](#) Probate: powers of attorney; reference to powers of attorney in public health code; revise to reflect adoption of uniform power of attorney act. Amends secs. 10121 & 10301 of 1978 PA 368 (MCL 333.10121 & 333.10301). TIE BAR WITH: HB 4644'23
- [HB 4649 of 2023](#) Construction: other; height-adjustable, adult-sized changing tables in public restrooms; require. Amends 1972 PA 230 (MCL 125.1501 - 125.1531) by adding sec. 13h.

[HB 4681 of 2023](#) Insurance: insurers; processing of a claim; modify duties. Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding ch. 30B.

[HB 4682 of 2023](#) Recreation: other; responsibilities of property owners under the recreational trespassing law; modify. Amends sec. 73102 of 1994 PA 451 (MCL 324.73102).

[SB 0019 of 2023](#) Property tax: tax tribunal; tax tribunal jurisdiction over certain disputes related to the assessment of property for purposes of property taxes; amend. Amends secs. 31 & 35a of 1973 PA 186 (MCL 205.731 & 205.735a). TIE BAR WITH: SB 0020'23

[SB 0020 of 2023](#) Property tax: appeals; process for appealing certain assessment-related disputes as to certain property; amend. Amends sec. 34 of 1893 PA 206 (MCL 211.34) & adds secs. 34f & 34g.

The Council voted to oppose SB 0019 and SB 0020. Tabitha reported that these are unlikely to go anywhere.

[SB 0041 of 2023](#) Construction: housing; ordinance prohibiting the use of energy-efficient appliances in new or existing residential buildings; prohibit local units of government from enacting. Amends sec. 13a of 1972 PA 230 (MCL 125.1513a). This would ban governmental preclusion of the use of gas appliances. "...a local unit of government shall not adopt, maintain, or enforce an ordinance that prohibits the use of an appliance that uses gas in a new or existing commercial or residential building or structure." **Tabitha doesn't think this bill will move, since Local Government is too busy with other matters.**

[SB 0047 of 2023](#) Land use: farmland and open space; relinquishment of portion of farmland from agreement or easement; allow to make boundaries more regular. Amends secs. 36103, 36110 & 36111 of 1994 PA 451 (MCL 324.36103 et seq.).

[SB 129](#) Allows certain housing activities.

To amend 1996 PA 381 by amending the title and sections 2, 8, 8a, 13, 13b, 13c, 14, 14a, 15, and 16 (MCL 125.2652, 125.2658, 125.2658a, 125.2663, 125.2663b, 125.2663c, 125.2664, 125.2664a, 125.2665, and 125.2666), the title as amended by 2003 PA 259, section 2 as amended by 2022 PA 178, sections 8, 13, 13b, 15, and 16 as amended by 2020 PA 259, section 8a as amended by 2017 PA 46, sections 13c and 14a as amended by 2021 PA 138, and section 14 as amended by 2016 PA 471.

[SB 0130 of 2023](#) Property tax: other; reference to the brownfield redevelopment financing act; update. Amends sec. 7gg of 1893 PA 206 (MCL 211.7gg). TIE BAR WITH: SB 0129'23 Passed the Senate 3-23-23; updates citations to the brownfield redevelopment financing act. The key changes are in the financing act, including allowing MSHDA to approve combined brownfield plans or work plans.

[SB 131](#) Updates reference to the brownfield redevelopment financing act. To amend 1937 PA 94 by amending section 4dd (MCL 205.94dd), as added by 2017 PA 49.

[SB 132](#) Updates reference to the brownfield redevelopment financing act. To amend 1933 PA 167 by amending section 4d (MCL 205.54d), as amended by 2017 PA 48.

[SB 0150 of 2023](#) Property tax: tax tribunal; methods for tax tribunal to hold small claims hearings; expand to include telephonically or by videoconferencing. Provides that residential and small claims division of tax tribunal may conduct hearings telephonically or by videoconferencing.

[SB 0163 of 2023](#) Property tax: exemptions; exemption for the surviving spouse of a disabled veteran; modify. Exempts disabled veteran or his or her surviving spouse from collection of taxes for property used and owned as homestead.

[SB 0164 of 2023](#) Economic development: other; principal shopping district and business improvement zones; modify. Provides that, inter alia, a business improvement zone may provide for assessments subject to various criteria and requirements. Further establishes rules for proportional voting for zone plans.

[SB 0175 of 2023](#) Property Tax Transfers. Modifies penalties for failure to file a property tax transfer affidavit.

[SB 0176 of 2023](#) Disabled Veteran Property Tax. Modifies affidavit filing requirements for disabled veteran exemption.

[SB 225](#) Asbestos Abatement. Requires public contracts for asbestos abatement projects under certain circumstances background investigation, public posting of certain information, and public hearings.

[SB 226](#) Asbestos. Requires annual report on asbestos emissions program for demolition or renovation activity sufficiency of number of inspectors. To amend 1994 PA 451 (MCL 324.101 to 324.90106) by adding section 5519b.

[SB 253](#)

Guardians And Conservators

Modifies duties of guardians and conservators.

[SB 254](#)

Guardians And Conservators

Modifies requirements to be appointed as guardian or conservator.

[SB 255](#)

Guardians And Conservators

Revises requirements to be appointed as guardian or conservator.

[SB 256](#)

Guardians And Conservators

Prohibits appointment of an individual who was removed as county public administrator.

[SB 257](#)

Court Proceedings

Provides availability and review of video recordings of court proceedings.

[SB 258](#)

Guardians And Conservators

Modifies duties of guardians, conservators, and guardian ad litem.

[SB 260](#)

Land Sales

Prohibits sale or transfer of real property to foreign entities.

SB 270: [2023-SIB-0270.pdf \(mi.gov\)](#) – This proposes amending MCL 554.135 and 554.136 by adding new sections 36a and 36b and relates to foreign persons/entities from owning certain types of real estate. It states “a foreign person shall not own, purchase, lease, possess, exercise control over, or otherwise acquire agricultural land in this state.” There are exceptions if it’s inherited, or in a collection action when the property was used as a security interest/mortgaged.

SB 271 and 273: These have to do with renewable energy resources. [2023-SIB-0271.pdf \(mi.gov\)](#); [2023-SIB-0273.pdf \(mi.gov\)](#).

SB 277: [2023-SIB-0277.pdf \(mi.gov\)](#) – This addresses farmland and allows it to be used under certain circumstances for solar operations.

SB 0314 (2023)

Friendly Link: <http://legislature.mi.gov/doc.aspx?2023-SB-0314>

Requirement that architect, professional engineer, or design-builder that employs an architect or professional engineer prepare plans for construction or remodeling of school buildings.

[SB 0329 of 2023](#) Insurance: insurers; processing of a claim; modify duties. Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding ch. 30B.

[SB 0330 of 2023](#) Property tax: exemptions; filing requirements for disabled veteran exemption; modify. Amends 1893 PA 206 (MCL 211.1 - 211.155) by adding sec.7c. TIE BAR WITH: SB 0176'23

[SB 0331 of 2023](#) Property tax: exemptions; small business property tax exemption; modify application process. Amends secs. 9o, 19 & 30 of 1893 PA 206 (MCL 211.9o et seq.).

[SB 0337 of 2023](#) Land use: other; certified survey map requirements; modify. Amends secs. 1, 2 & 3 of 1970 PA 132 (MCL 54.211 et seq.).

[SB 0364 of 2023](#) Property tax: board of review; definition of qualified error; modify. Amends sec. 53b of 1893 PA 206 (MCL 211.53b). TIE BAR WITH: SB 0176'23

[ADM File No. 2021-10: Proposed Amendment of the Michigan Rules of Evidence](#)

The proposed amendments of the Michigan Rules of Evidence (MRE) reflect the work of the Michigan Rules of Evidence Committee established by Administrative Order No. 2021-8. The Committee was

tasked with restyling the MREs in an effort to remain as consistent as possible with the 2011 restyling of the Federal Rules of Evidence. Major reorganization of the rules appears in MRE 803 and MRE 804 where the residual exceptions found in both rules are moved into a new MRE 807, and in MRE 804 where the exception regarding deposition testimony is moved up from subrule (b)(5) to proposed subrule (b)(2). **The Legislative Committee recommends that no action be taken.**