

Briefly

A Publication of the Government Law Section of the State Bar of Michigan

February 2025 ■ Christopher Forsyth, Chair ■ Kevin A. McQuillan, Editor-in-Chief



2025 Government Law Section Winter Educational Seminar!

When: Friday, February 21, 2025

Time: 8:30a.m. – 4:30p.m.

Where: Troy Community Center, 3179 Livernois Road, Troy, M

This year's seminar will feature a wide range of engaging and timely topics in government law to help balance out the combination of substantive and practical demands on you, including:

- Updates to the Freedom of Information Act (FOIA) and Open Meetings Act (OMA)
- Zoning and land use decisions
- Professionalism and well-being in the legal field
- Labor and employment issues (including the Earned Sick Time Act going into effect the same day!)
- A panel discussion on Michigan marijuana law
- Practice-focused roundtable discussion led by practitioners within our Section

This event is an excellent opportunity to gain valuable insights, stay updated on key legal issues, and reconnect with your Section colleagues in person. After the seminar, join us for a happy hour and the GLS Section meeting, open to all seminar attendees. Please register using the following link: [SBM Government Law Section Winter Educational Seminar!](#)

Government Law Case Summaries

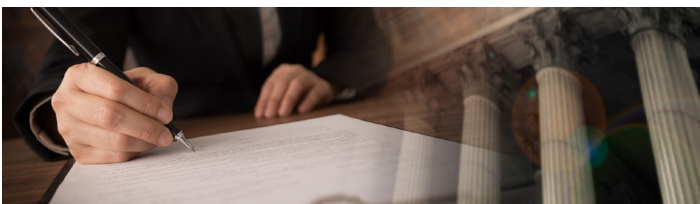
By Dehani T. Gordon-Lehman
Bodman, PLC

***Estate of Snyder v. Horn,* COA Docket No. 367210 (August 22, 2024)**

In the *Estate of Snyder v. Horn*, the Michigan Court of Appeals held that the motor vehicle exception to governmental immunity did not apply and Defendant City of Ypsilanti was entitled to summary disposition. In the *Estate of Snyder*, the Ypsilanti Fire Department was dispatched to the scene of an accident. Upon arrival, the firetruck was parked partially on the roadway and partially on the shoulder so as to block other motorists traveling on the expressway from entering into the accident scene. The firetruck was bright yellow and had its emergency flashing lights activated. Shortly after arriving on the scene, the firetruck was struck in the rear by a vehicle driven by Defendant Horn. Plaintiff's decedent, Ms. Snyder, was a backseat passenger in that vehicle and died. On appeal, the parties' dispute centered "on whether the parked, unoccupied firetruck was being 'operated,' within the contemplation of the motor-vehicle exception, at the time of the accident." The Court held that at the time of the collision, the firetruck was not being operated 'as a motor vehicle;' rather, it was being used as a roadblock or barricade." The Court reasoned that the firetruck's "presence on the road was no longer 'directly associated with the driving' of that vehicle." It was unoccupied. In other words, the fact that it was a motor vehicle was irrelevant to the accident occurring. The Court noted that if wooden barricades had been erected instead of the firetruck being use[d] as a barricade, in all likelihood Horn would have struck the wooden barricades. The firetruck was not "carrying out its intended function" at the time Horn struck it. Thus, the Court vacated the Trial Court's order denying the City's motion for summary disposition and remanded for entry of an order granting the motion and dismissing Plaintiff's claims against the City.

***City of Farmington v. Farmington Survey Comm.,* COA Docket No. 372022 (September 2, 2024)**

In the *City of Farmington v. Farmington Survey Comm.*, the Court concluded that in "this state-dominated area of recreational marijuana regulation" the Michigan Regulation and Taxation of Marihuana Act ("MRTMA"), "carved out limited powers for local regulation." Central to the issue before the Court was MCL 333.27956, which outlines the parameters of local regulation permitted under MRTMA. The Court held that voter-initiated charter amendments are not a permissible method of implementing the limited local regulations that are authorized by MRTMA. The Court further clarified that the provisions allowing for regulation via ordinance by the municipality "are a reference to the municipality's actions through its legislative body, as opposed to voter-initiated action by individuals in the electorate." The Court further held that "the power to adopt a local regulatory scheme for marijuana retail establishments under MCL 333.27956 involves a delegation of authority to the legislative body of the municipality. Because this authority is to be exercised by the legislative body, it cannot be exercised by individuals of the electorate." Instead, the Court found that "individuals of the electorate are afforded one narrow power of initiative: to seek an ordinance prohibiting or setting the number of marijuana retail establishments." Defendants argued that, because the words "city charter" do not appear in MCL 333.27956, the statute is silent on this topic. Therefore, they contended, it must be assumed that individuals may, by voter-initiated petition, amend the City charter to enact a local regulatory scheme governing marijuana retail establishments. However, the Court rejected this argument, holding that in "this comprehensive system for local regulation regarding marijuana establishments, individuals' voter-initiated authority is restricted, and it does not include charter amendments to enact provisions that may only be enacted via the legislative process." Thus, the Court concluded that the Defendants did "not have a clear legal right to certification of their petitions for placement on the [11/24] ballot, and the city clerks did not violate a clear legal duty to certify the petitions."



***Open Stores in Howell Comm. v. City of Howell*,
COA Docket No. 372499 (September 20, 2024)**

In *Open Stores in Howell Comm. v. City of Howell*, the Michigan Court of Appeals upheld the Circuit Court's decision to grant Plaintiff-ballot question committee's petition for a writ of mandamus. Plaintiff is a ballot question committee promoting a proposed initiative petition for the November 2024 ballot that would amend the City of Howell's Charter in relation to the Michigan Regulation and Taxation of Marihuana Act (MRTMA). The initiative would establish "an application process, selection criteria, licenses, fees, and regulations for two adult use retail cannabis establishments in the City." Initially, Defendant-City Clerk gave her consent for Plaintiff's petition to be placed on the ballot. However, she later withdrew her consent, citing the Court's recent decision in *City of Farmington v. Farmington Survey Comm.* Consequently, the Clerk removed the petition from the ballot. The Circuit Court granted Plaintiff's request for relief in part, and ruled that it was entitled to mandamus. On appeal, the Court rejected the Defendants' contention that the City Clerk had the authority to reconsider and withdraw her initial approval. The Court emphasized that nothing in MCL 168.646a "provides that a City Clerk has the authority to withdraw an approval once given (or to do so after the statutory certification deadline), and defendants do not cite such authority; indeed, defendants do not cite [this statute] whatsoever." The Court also explained that the Defendants' reliance on cases cited in a footnote, which argued that local clerks are not obligated to certify ballot language exceeding the authority granted by MRTMA is misplaced. The Court noted that none of the cases cited by the Defendants addressed the withdrawal of approval after it was granted. The Court further dismissed the Defendants' argument that a contrary ruling would prevent public officials from revisiting prior decisions to correct errors. It held that accepting this position would undermine the statutory certification deadline and subject ballot language to the whims of clerks who might change their minds after certification. The Court also rejected the Defendants' contention that the City Clerk was obligated to deny the Plaintiff's petition, stating that this argument concerned the merits of the petition itself—an issue not before the Court. Moreover, the Court concluded that the Circuit Court was not bound by the City of Farmington, as it provided no precedential value on the question of whether the City Clerk had authority to withdraw approval once granted. Finally, the Court affirmed that

the review process under MCL 168.646a(2) is ministerial, with mandatory statutory language leaving no room for discretion. The Court held given that Plaintiff had no other remedy for meaningful relief, the Circuit Court did not err in granting mandamus relief.

***Michigan Record Co. v. Charter Twp. of Saginaw*,
COA Docket No. 367816 (November 26, 2024)**

In *Michigan Record Co. v. Charter Twp. of Saginaw*, Plaintiff sought disclosure of a police report prepared during the investigation into a man's (W) 2006 disappearance under the Freedom of Information Act (FOIA), MCL 15.231 et seq. In response to the FOIA request, the Township provided a mostly complete copy of the police report, but with 14 redactions across three pages. Plaintiff challenged nine of those redactions. The Court addressed the redactions in detail. Regarding Redaction Nos. 1, 2, and 3, which involved "details of [W's] home life and marital relationship," the Court noted that long-standing case law reflects a societal belief that such information is "personal, private, embarrassing, and confidential." It found that because W's then-wife is still alive and the information would reveal intimate details about her, a privacy interest still exists. While the question of whether "disclosure would shed any light on the workings of government is a closer question[.]" the Court determined that the "marginal value" of the information meant its disclosure would be "unwarranted" under MCL 15.243(1)(b)(iii). As for Redaction Nos. 4 and 7, the Court cited case law establishing that personal addresses of private citizens generally qualify as information "of a personal nature" that can be withheld under FOIA's privacy exemptions. The Plaintiff argued that the address could easily be found online, but the Court dismissed this, stating that the availability of information elsewhere does not affect whether it can be exempted under FOIA. It concluded that since the address belongs to someone with a privacy interest and its disclosure would not shed light on government operations, Redaction Nos. 4 and 7 were proper under MCL 15.243(1)(a). However, the Court found that Redaction Nos. 8 and 9 were subject to disclosure in part because the same information had already been provided unredacted elsewhere in the report. This reasoning aligned with the Trial Court's decision to partially disclose information from Redaction Nos. 5 and 6 for the same reason. Additionally, the Court further held that since "plaintiff has now obtained a greater, albeit still partial,

victory[.]” the Trial Court must reconsider whether this outcome warrants an award of reasonable attorney fees.

Charter Twp. of Royal Oak v. Oakland Cares Coalition,
COA Docket No. 367522 (December 19, 2024)

Charter Twp. of Royal Oak v. Oakland Cares Coalition arose from a dispute over a ballot initiative regarding recreational marijuana establishments, which Township voters approved. Plaintiff asserted that “misleading ballot language led voters to approve an ordinance that would not have received approval otherwise” and argued that “there was a genuine question of material fact regarding the alleged violation of MCL 168.485.” The Court of Appeals, however, held that even if the ballot wording was “incomplete in accurately representing the essence of the ordinance,” resolving this issue was unnecessary at this point. The Court emphasized that “the pivotal question now is not whether the ballot language was misleading; rather, it centers on whether this Court possesses the authority to invalidate the ordinance subsequent to its approval by voters, regardless of whether the language may be regarded as misleading.” The Court found no authority to invalidate the ordinance based on these claims. The Court reasoned that “the absence of such authority likely stems from the fact that the appropriate time to contest the accuracy of the ballot language was prior to the election, when this dispute could have been addressed effectively.” Moreover, the Court noted that “even if it were

determined that the language on the ballot was misleading, it would not change the fact that the language was presented on the ballot, the election was conducted, and a majority of voters approved the proposed ordinance.” Plaintiff failed to provide any legal authority supporting the assertion that a violation of MCL 168.485—assuming one occurred—could be remedied post-election by invalidating the voter-approved ordinance. The Court also pointed out that the Plaintiff had the opportunity to address concerns about the ballot language before the election but did not do so. The Court explained that at this point, “a challenge to the actual validity of the ordinance itself would be permissible,” but Plaintiff’s ballot wording challenge “based on an alleged violation of MCL 168.485 is not such a substantive challenge to the validity of the ordinance itself. Consequently, the Court of Appeals affirmed the Trial Court’s decision to grant summary disposition in favor of Defendant Oakland Cares Coalition.

About the Author



Debani T. Gordon-Lehman is a Senior Associate Attorney at Bodman, PLC in Ann Arbor Michigan. Debani focuses her practice on municipal law, representing city leaders, departments, and related entities on a broad range of legal issues faced by municipal governments. Debani also serves in Bodman’s Litigation practice group and represents clients in civil disputes involving a broad spectrum of issues.



Attorney General Opinion Updates

By George M. Elworth

Assistant Attorney General, State Operations Division

CONST 1963, ART 2, § 4(1)(b):

Opinion No. 7327

Date: October 10, 2024

**MICHIGAN
ELECTION LAW:**

Extending the post-election, six-day time period for the timely receipt of absent voter ballots from individuals in the military or living overseas when the sixth day of the time period falls on a holiday.

The post-election, six-day time period for election officials to timely receive absent voter ballots from individuals serving in the military or living overseas, that is established by the Michigan Constitution, article 2, § 4(1)(b), will be extended as provided in the Michigan Election Law, MCL 168.13(1), when that sixth day falls on a holiday.

Legislative Update

By Kester So, Aimee R. Gibbs, Laura M. Bassett, John A. Weiss, and Amelia P. Livingway

Dickinson Wright PLLC

Prior to the legislative session's adjournment on December 19, 2024, there were a number of new laws and bills of public sector interest enacted by or under consideration in the Michigan Legislature. The following are summaries of some of the most pertinent new laws and bills.

Enacted Legislation

- **Civil Rights.** PA 130 of 2024 expands the Public Breastfeeding Antidiscrimination Act to protect public expression of human milk. Amends title & sec. 2 of 2014 PA 197 (MCL 37.232).
- **Economic Development.** PA ____ of 2024 (ordered enrolled December 23, 2024) amends the Brownfield Redevelopment Financing Act to exempt from capture millage levied pursuant to the new History Museum Authorities Act. Amends sec. 2 of 1996 PA 381 (MCL 125.2652). See also HB 4177 and HB 5317, each ordered enrolled December 23, 2024.
- **Land Use.** PA 153 of 2024 amends the Michigan Planning Enabling Act to require a local government's master plan to forecast and take into account housing needs in order to promote a range of housing types and include an assessment of the community's housing demand with strategies and policies for addressing those demands. Amends secs. 7, 15 & 33 of 2008 PA 33 (MCL 125.3807 et seq.).
- **Occupations.** PA 160 of 2024 expands the skin care services that can be performed by estheticians and cosmetologists. Amends secs. 1201 & 1210 of 1980 PA 299 (MCL 339.1201 & 339.1210).
- **Occupations.** PA 172 of 2024 establishes a ratio of one journey or master plumber to up to two apprentice plumbers. Amends sec. 717 of 2016 PA 407 (MCL 339.5717) & adds sec. 1117a.
- **Property.** PA 154 of 2024 makes a person that procures or places upon record a conveyance of real estate with

the intent to deceive another person as to the veracity of the document is guilty of a felony. Amends 1883 PA 98 by amending the title and section 1 of MCL 565.371.

- **Property.** PA 155 of 2024 incorporates the proposed felony of drafting or submitting a fraudulent conveyance to be filed with a register of deeds. Under PA 155, such an offense would be a Class D felony against property punishable by a statutory maximum term of imprisonment of 10 years. Amends the sentencing guidelines chapter of the Code of Criminal Procedure sec. 15b, ch. XVII of 1927 PA 175 (MCL 777.15b). TIE BARRED WITH: HB 5598'24.
- **Property Tax.** PA 129 of 2024 amends the Tax Tribunal Act to allow the Residential Property and Small Claims Division of the Michigan Tax Tribunal to conduct hearings and re-hearings by telephone or video conference. Amends sec. 62 of 1973 PA 186 (MCL 205.762).
- **Public Utilities.** PA 167 of 2024 amends the Public Service Commission Act to provide that a long-term industrial load rate (LTILR) would not be subject to any securitization charges approved by the Michigan Public Service Commission (MPSC) if the customer were taking service under an LTILR on the effective date of the finance order. Amends sec. 10gg of 1939 PA 3 (MCL 460.10gg).
- **Retirement.** PA 152 of 2024 increased the amount that a qualified participant in a Tier 2 (defined contribution) plan can contribute to their account, from 3% of their salary under current law to 5% of their salary under the bill. Amends sec. 714 of 1992 PA 234 (MCL 38.2664).
- **Townships.** PA 126 of 2024 amends 1846 RS 16, which defines the powers and duties of townships, to allow Grosse Ile Township to acquire, own, or operate, within or outside its corporate limits, a public service facility (i.e., a bridge) that provides transportation to the township and its residents and to charge a user fee for use of the bridge. Amends 1846 RS 16 (MCL 41.1a - 41.110c) by adding sec. 2b.
- **Weapons.** PA 158 of 2024 amends the Michigan penal code to prohibit possession of firearms within 100 feet of an absentee ballot counting board while ballots are being counted. Amends sec. 234d of 1931 PA 328 (MCL 750.234d).

Pending Legislation

- **Campaign Finance.** HB 5582 and HB 5580, tie-barred, would amend the Michigan Campaign Finance Act to require 527 and 501(c)(4) organizations to electronically register with the Secretary of State within 10 days of becoming an organization and prescribe penalties for a failure to do so. Amends secs. 5 & 7 of 1976 PA 388 (MCL 169.205 & 169.207).
- **Campaign Finance.** SB 1198 would amend the Lobbyist Registration Act to modify the definition of "gift" to specify that it would not include tickets to a charity event or admission to a conference or educational event connected to public business or the performance of governmental duties. Amends secs. 3, 5, 7, 11 & 13 of 2023 PA 282 (MCL 169.303 et seq.).
- **Cities.** HB 5816 would amend the Home Rule City Act to require an election for the charter commission to be held within 200 days, rather than 60 days, of the election approving the petition for a charter revision. Amends sec. 18 of 1909 PA 279 (MCL 117.18).
- **Cities.** HB 6001 would modify the method for serving blight violation notices, including serving a written violation notice by email or posting on the City's website. Amends sec. 4q of 1909 PA 279 (MCL 117.4q).
- **Cities.** SB 896 would amend the Home Rule City Act to allow cities to authorize the creation of a special assessment district to fund maintenance and improvements for a private road. Amends 1909 PA 279 (MCL 117.1 - 117.38) by adding sec.
- **Civil Procedure.** HB 6031 would allow the public sale of property being foreclosed by advertisement to be held virtually. Amends secs. 3208, 3212, 3216 & 3220 of 1961 PA 236 (MCL 600.3208 et seq.).
- **Civil Procedure.** HB 6073, tie barred with HB 6072, would remove certain restrictions on recovery of costs and fees in an action involving the state, including Amends secs. 2421b, 2421c, 2421d & 2421e of 1961 PA 236 (MCL 600.2421b et seq.).
- **Civil Rights.** SB 823 would amend the Elliot-Larson Civil Rights Act (ELCRA) to specify discrimination based on "sex" would include pregnancy or lactating status. Amends sec. 301 of 1976 PA 453 (MCL 37.2301).
- **Civil Rights.** SB 870 would amend the Open Meetings Act to allow an appointed member of a public body who has a disability to participate remotely in a

meeting of the public body upon request. However, the member would have to be physically present in Michigan throughout the meeting. Amends sec. 3a of 1976 PA 267 (MCL 15.263a).

- **Civil Rights.** SB 1023 would amend the Open Meetings Act to expand the reasons that a public body could hold a closed session, including to consult with its attorney on the attorney's legal opinion and to consider a demand made of the public body. Amends sec. 8 of 1976 PA 267 (MCL 15.268).
- **Civil Rights.** SB 669 and 670, tie-barred, would amend the Freedom of Information Act to define the legislature, the governor, the lieutenant governor, and the executive offices of the governor and lieutenant governor as public bodies subject to the act's provisions related to the disclosure of public records. Amends secs. 2 & 3 of 1976 PA 442 (MCL 15.232 & 15.233).
- **Counties.** SB 1028 would modify the requirements for competitive bidding by county road commissions on certain projects, including increasing certain financial thresholds. Amends sec. 10 of 1909 PA 283 (MCL 224.10).
- **Labor.** SB 994 would prohibit an employer from discharging an employee based on the employee's candidacy for public office, or their intent to become a candidate for public office. Creates new act.
- **Labor.** SB 1173 would amend the Local Government Labor Regulatory Limitation Act to allow a local government to implement an ordinance, policy, or resolution requiring an employer to pay an employee a wage higher than the State's minimum wage. Amends secs. 5, 9 & 15 of 2015 PA 105 (MCL 123.1385 et seq.) & repeals secs. 6, 7, 10, 11 & 12 of 2015 PA 105 (MCL 123.1386 et seq.).
- **Labor.** SB 1186 would amend PA 10 of 2023, which requires prevailing wages and fringe benefits on State projects, to exempt a State project that was paid for by a bond or bond proposal and that was authorized under the Revised School Code before February 13, 2024, from prevailing wage and fringe benefit requirements. Amend sec. 9 of 2023 PA 10 (MCL 408.1109).
- **Land Use.** HB 6095 would amend the Michigan Zoning Enabling Act to prohibit a zoning ordinance from requiring the provision of more than 1.5 parking spaces per dwelling unit for a residential use of property. Amends sec. 205d of 2006 PA 110 (MCL 125.3205d).
- **Law Enforcement.** HB 6121 would create the Reporting of Law Enforcement Officer Misconduct Privacy Act to prohibit the disclosure of the identity of certain individuals who report incidents of law enforcement officer misconduct and to provide for civil penalties for violations of the act's provisions. Creates new act.
- **Law Enforcement.** SB 1091 would create a new law to require each law enforcement agency to adopt a use of force policy and prescribe requirements of the policy, beginning six months after the bill's effective date. Creates new act.
- **Law Enforcement.** SB 1093 would create the Law Enforcement Officer Duty to Intervene Act to require each law enforcement agency to adopt a duty to intervene policy within 12 months of the bill's effective date. Creates new act.
- **Law Enforcement.** SB 1114 would require written parental consent prior to using a minor as a law enforcement participant or informant. Creates new act.
- **Libraries.** HB 6034 and 6035, tie-barred, would create the Public Library Freedom to Read Act and the District Library Freedom to Read Act, which would provide standards and processes for the selection of materials to be included in, or withdrawn from, a public or district library's collection. Except as otherwise provided by law, the director would have the final responsibility for the selection of materials for inclusion or withdrawal in a library's collection. Creates new act.
- **Liquor.** HB 6193 would, without regard to the quota restrictions, allow the Liquor Control Commission to issue tavern liquor license if not more than 50% of the establishment's revenue is generated from the sale of liquor. Amends 1998 PA 58 (MCL 436.1101 - 436.2303) by adding sec. 510.
- **Liquor.** SB 804 would allow a license to serve alcohol at Macomb Community College Sports and Expo Center Complex. Amends sec. 513 of 1998 PA 58 (MCL 436.1513).
- **Local Government.** SB 1148 would allow local governments to collect ticket enhancement fees on entertainment or amusement admissions, including but not limited to museums, professional sporting events, concerts and live theater. Creates new act.
- **Education.** HB 4027 would create Purple Star School designation and program to support military-connected students. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1138a.

- **Education.** HB 4095 would require the board of a school district or ISD, the board of directors of a public school academy (PSA, or charter school), or the governing body of a nonpublic school to ensure that it adopts and implements the standardized response terminology plan established under HB 4096. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1308d.
- **Education.** HB 4096 would require Michigan State Police to develop standardized response terminology plan to provide direction for terminology that should be used by schools in response to certain safety situations. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1308c.
- **Education.** HBs 5231 (H-1) through 5234 (H-1) would amend the Revised School Code to require the board of directors of any public school academy (PSA) to list the names of its authorizing body and primary education management organization on property signage, promotional material, its web page, and student applications.
- **Education.** HB 5269 would amend the Revised School Code to require each public school academy (PSA), school of excellence, strict discipline academy, and urban high school academy to post the average salary for new and veteran teachers and support staff on its public website by November 1 of each year. Amends secs. 504a, 506, 525, 527, 557, 560, 1311h & 1311k of 1976 PA 451.
- **Education.** HB 5549 would create behavioral threat assessment and management teams. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1308c.
- **Education.** HB 5930 would require all schools to publicly post student to teacher ratios. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1271.
- **Mental Health.** SB 0917 would allow an individual permitted to file a petition asserting that another individual required mental health treatment to request and access mediation to resolve a dispute between the individual requiring treatment and the appropriate community mental health services program related to planning and providing services or support to the individual requiring treatment. Amends secs. 206a & 429 of 1974 PA 258 (MCL 330.1206a & 330.1429).
- **Mental Health.** SB 0918 would amend the Mental Health Code to allow a hospital director, agency, physician, psychologist, qualified mental health professional, or individual to file a petition for a second or continuing order of involuntary mental health treatment at least 14 days before the expiration of a current order of Assisted Outpatient Treatment (AOT) if the individual receiving treatment were likely to refuse voluntary treatment and needed continued treatment.
- **Mental Health.** SB 1048 would increase the recipient rights advisory committee from 12 members to 15 members with additional information regarding who the three new members should represent. Amends secs. 100d & 756 of 1974 PA 258 (MCL 330.1100d & 330.1756).
- **Mental Health.** SB 1049 would require that upon commencement of mental health treatment, the patient and the individual who executed the written consent, must be provided with a written copy of the rights that the patient has during treatment including the process through which the patient can end voluntary mental health treatment. Amends sec. 416 of 1974 PA 258 (MCL 330.1416).
- **Michigan Business Tax.** HB 5937 would amend the Michigan Business Tax Act, to allow for the early termination of a Michigan Business Tax (MBT) credit for businesses located in renaissance zones. Amends sec. 433 of 2007 PA 36 (MCL 208.1433).
- **Natural Resources.** HB 6065 would require any bulk soil, prepackaged soil, and potting soil sold or offered for sale in this state to contain at least 5% compost derived from class 1 compostable material and have a label printed in 12-point bold type that states the percentage of compostable material contained. Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 92.
- **Natural Resources.** HB 6229 would amend the Natural Resource and Environmental Protection Act to make changes relating to hunting, fishing, shooting, and license types and fees. Amends secs. 43509, 43520, 43522, 43523a, 43523b, 43524, 43525b, 43525c, 43527a, 43528, 43529, 43531, 43532, 43532a, 43533, 43535, 43536 & 43540 of 1994 PA 451 (MCL 324.43509 et seq.) & adds secs. 503d & 43555a.
- **Natural Resources.** SB 0803 would extend, from January 1, 2026 to January 1, 2031, the requirement that a person purchase an annual pheasant hunting license to hunt pheasants in the State and the way that license revenue is used. Amends sec. 43525c of 1994 PA 451 (MCL 324.43525c).
- **Natural Resources.** SB 0860 would require the Depart-

ment of Natural Resources (DNR) create an American woodcock restoration plan that aligns with the American Woodcock Conservation Plan and includes population goals, habitat treatments, cooperative efforts, strategies for habitat expansion on private lands, and other restoration measures. Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 40503.

- **Natural Resources.** SB 0996 would allow an individual to take an antlerless deer or an antlered deer during the liberty hunt or the independence hunt if that individual is eligible to participate in that hunt and possesses a valid deer license. Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 43527c.
- **Natural Resources.** SB 1124 would require the Department of Natural Resources (DNR) to coordinate State efforts and work toward voluntary conservation, restoration, and connection of six regional plans to create a legacy plan that conserved 30% of the State's total land area of land and water by 2030, which could not include the Great Lakes or Lake St. Clair. Amends sec. 503 of 1994 PA 451 (MCL 324.503) & adds sec. 502c.
- **Natural Resources.** SB 1133 would create a new act to assert that the ownership of pore space in all strata underlying the surface lands and waters in this state is vested in the owner of the overlying surface of the real property, unless severed from the surface estate.
- **Occupations.** HB 5786 would reduce the number of apprenticeship or barber college hours an individual must have to be licensed as a barber in Michigan. Amends secs. 1108 & 1110 of 1980 PA 299 (MCL 339.1108 & 339.1110).
- **Occupations.** HB 5882 would allow notaries public one witnesses to a notarial act, and the individuals for whom a notarial act is being performed to employ a wider variety of communication technologies during the notarization process. Amends secs. 3, 5, 26, 26a, 26b & 27 of 2003 PA 238 (MCL 55.263 et seq.) and add sec. 26e & repeal sec. 26d of 2003 PA 238 (MCL 55.286d).
- **Occupations.** HB 5960 would provide for the licensing of interior designers in Michigan. Amends secs. 303a & 601 of 1980 PA 299 (MCL 339.303a & 339.601) and add art. 20a.
- **Occupations.** HB 5961 would establish fees for licensure of interior designers. Amends secs. 303a & 601 of 1980 PA 299 (MCL 339.303a & 339.601) & adds art. 20a.
- **Occupations.** HB 5962 would allow licensed interior designers preparing interior technical submissions to submit an application for a building permit to the appropriate enforcing agency. Amends 1979 PA 152 (MCL 338.2201 - 338.2277) by adding sec. 14.
- **Occupations.** SB 0703 would require the Department of Licensing and Regulatory Affairs (LARA) to issue a secondary school facility license to a person that held a license to operate a school of cosmetology to operate one or more additional facilities to teach cosmetology services that were separate from the original premises if certain requirements are met. Amends 1980 PA 299 (MCL 339.101 - 339.2677) by adding sec. 1205b.
- **Occupations.** SB 0867 would allow motor vehicle repair facilities to register a single, auxiliary facility under the same registration, and modify registration fees for motor vehicle repair facilities. Amends secs. 2, 13b, 14, 15, 16, 17, 18, 30, 32, 32a & 33 of 1974 PA 300 (MCL 257.1302 et seq.).
- **Occupations.** SB 0895 would modify the required ratio of electrical journeyman or master electrician to apprentice from one-to-three to one-to-one and to hold contractors and certain master electricians jointly responsible for ensuring compliance with electrical wiring and equipment standards. Amends secs. 9 & 25 of 1979 PA 152 (MCL 338.2209 & 338.2225).
- **Occupations.** SB 1081 would modify existing application and license fees for cosmetologists and similar professions, raise the annual license fee for a cosmetology establishment or school, and prescribe new application and license fees for a secondary cosmetology school. Amends secs. 9 & 25 of 1979 PA 152 (MCL 338.2209 & 338.2225).
- **Property.** HB 4842 would amend the State Building Authority Act to eliminate the requirement that an obligation under a pool of obligations mature within five years after the pool was established. Amends sec. 8 of 1964 PA 183 (MCL 830.418).
- **Property.** HB 4924 would provide further clarification on the determination of heirs' property and the process of partitioning heirs' property. Amend sec. 3304 of 1961 PA 236 (MCL 600.3304) by adding Chapter 34 and amending Chapter 33.
- **Property.** HB 4938 would authorize the State Administrative Board, on behalf of the state, to convey, by

quitclaim deed or transfer by affidavit of jurisdictional transfer, state-owned property located in Kent County and currently under the jurisdiction of the Department of State Police.

- **Property.** HB 5820 would authorize the State Administrative Board, on behalf of the state, to convey, by quitclaim deed or transfer by affidavit of jurisdictional transfer, state-owned property located in Arenac County and currently under the jurisdiction of the Department of Corrections.
- **Property.** HB 5913 would authorize the State Administrative Board, on behalf of the state, to convey by quitclaim deed, state-owned property located in Eaton County currently under the jurisdiction of the Department of Technology, Management, and Budget (DTMB) to the Michigan Police Equipment Company (MPEC).
- **Property.** HB 6173 would provide that the seller's disclosure form required to be used when selling or transferring property must include the most recent copy of an inspection report for the property's septic tank when the disclosure form is provided by the transferor or their agent to the prospective transferee or their agent. Amends sec. 7 of 1993 PA 92 (MCL 565.957).
- **Property.** SB 0440 would authorize the State Administrative Board, on behalf of the state, to convey state-owned property located in Livingston County currently under the jurisdiction of the Michigan Department of Corrections (MDOC) to the Michigan Department of Military and Veterans Affairs (DMVA).
- **Property tax.** HB 5645 would amend sec. 46 of 1973 PA 186 (MCL 205.746) of the Tax Tribunal Act to issue protective orders to protect the confidentiality of confidential information in certain circumstances. The bill would still require the tribunal to comply with FOIA, but would allow it to issue protective orders for certain confidential information.
- **Property tax.** HB 5955 would amend 1893 PA 206 (MCL 211.1 - 211.155) by adding sec. 9q to exempt certain residential property and agricultural property from the tax levied under the State Education Tax Act.
- **Property tax.** HB 6059 would amend sec. 7u of 1893 PA 206 (MCL 211.7u) so that the principal residence of a person who, in the judgment of the supervisor and board of review, by reason of poverty, is unable to contribute toward the public charges is eligible for tax exemptions.
- **Property tax.** HB 6160 would amend the General Property Tax Act 1893 PA 206 (MCL 211.1 - 211.155) by adding sec. 34f to prohibit a local governmental unit from enacting or enforcing a local property tax cap on the gross dollar amount of revenue levied or raised annually if the cap would require an automatic reduction on a fixed millage rate.
- **Public employees and officers.** HB 5581 would amend 1978 PA 472, known as the lobbyist registration act, to add "a legislative staff" to the definition of official in the legislative branch for purposes of the act.
- **Public employees and officers.** HB 5586 would amend the Lobbyist Registration Act to prohibit the governor, lieutenant governor, attorney general, secretary of state, or a state senator or representative from engaging in certain lobbying activities for one year after the last date of their term of office. Amends sec. 6a of 1978 PA 472 (MCL 4.416a) & adds sec. 6b.
- **Public employees and officers.** HB 6026 would create an act that requires that public contracts are performed by employees who are entitled to work in the United States and outlines acceptable methods for verifying legal presence.
- **Public employees and officers.** HB 6058 would amend the Publicly Funded Health Insurance Contribution Act to increase the amount that public employers may pay toward employees' medical benefit plans. Amends secs. 3 & 4 of 2011 PA 152 (MCL 15.563 & 15.564).
- **Public employees and officers.** SB 1130 would establish that public employers that offer or contribute to a medical benefit plan, shall pay not more than certain amounts for annual costs healthcare costs for employees as set forth in new bill. Amends sec. 3 of 2011 PA 152 (MCL 15.563).
- **Public employees and officers.** SB 1198 would amend the Lobbyist Registration Act, to modify the definition of "gift" to specify that it would not include tickets to a charity event or admission to a conference or educational event that was directly related to the accepting public official's duties. Amend secs. 3 & 4 of 1978 PA 472 (MCL 4.413 & 4.414).
- **Public utilities.** HB 6039 would allow utility providers to trim trees and maintaining all vegetation within 15 feet of electrical wires. Amends 1939 PA 3, section 10p (MCL 460.10p), as amended by 2016 PA 341.

- **Probate.** HB 4909 would alter suitability requirements and priority provisions for guardians and conservators and make related changes. Amends 5104, 5106, 5310, 5313 & 5409 of 1998 PA 386 (MCL 700.5104 et seq.) and add sec. 5106a.
- **Probate.** HB 4910 would revise the duties of a guardian ad litem appointed by a court in a guardianship proceeding when an individual is alleged to be incapacitated or a proceeding to appoint a conservator for a protected individual (who can no longer manage their property or business affairs). Amends 5104, 5106, 5310, 5313 & 5409 of 1998 PA 386 (MCL 700.5104 et seq.) and add sec. 5106a.
- **Probate.** HB 4911 would make changes concerning initial hearings, examination reports, and the appointment of a guardian or emergency guardian. Amends secs. 5305, 5314, 5406, 5417 & 5418 of 1998 PA 386 (MCL 700.5305 et seq.) and add sec. 5314a.
- **Probate.** HB 4912 would modify and add provisions related to temporary guardians and successor conservators. Amend secs. 5414 & 5415 of 1998 PA 386 (MCL 700.5414 & 700.5415) and add sec. 5312a.
- **Probate.** HB 5833 would authorize surrogates to make health care decisions for certain patients under certain circumstances. Amends 1998 PA 386 (MCL 700.1101 - 700.8206)
- **Probate.** HB 5883 would allow for the electronic signing and witnessing of certain documents. Amends sec. 1202 of 1998 PA 386 (MCL 700.1202).
- **Probate.** HB 6011 would create additional requirements for the settlement of trust accounts. Amends 1998 PA 386 (MCL 700.1101 - 700.8206) by adding sec. 7908a.
- **Probate.** HB 6259 would modify the definition of qualified trust beneficiary and to make complimentary changes to the conditions under which a charitable organization has the rights of a qualified trust beneficiary to receive distributions from a charitable trust. Amends secs. 7103 & 7110 of 1998 PA 386 (MCL 700.7103 & 700.7110).
- **Probate.** SB 0822 would allow a patient advocate designation to include a statement regarding which life sustaining treatment the patient would desire or not desire if the patient is pregnant at the time the patient advocate designation becomes effective. Amends sec. 5507 of 1998 PA 386 (MCL 700.5507).
- **Records.** SB 0494 would create a new act requiring various correctional units to provide demographic info on incarcerated people.
- **Records.** SB 818 would amend the Public Health Code to require the Department of Health and Human Services (DHHS) to present studies and reports, and maintain statistics, related to bias or unjust perinatal care, including obstetric violence and obstetric racism. DHHS would also have to maintain a team to review maternal deaths in Michigan and report to the legislature on pregnancy-related deaths.
- **Recreation.** HB 4682 would remove the ambiguous spacing requirement and instead provide that the signs must be posted at intervals of no more than 250 feet along the boundary of the property. Amends section 73102 of 1994 PA 451 (MCL 324.73102).
- **Recreation.** HB 5742 would update a reference to the Good Samaritan act to reflect changes made by HB 5743. (Because HB 5743 would add a new section to the end of the Good Samaritan Act, the range of sections used to cite it would also change.). Amends sec. 3 of 2006 PA 23 (MCL 333.26313).
- **Recreation.** HB 5873 would revise the formula for distribution of recreation passport revenue to be participation-based rather than revenue-based. Amends sec. 2045 of 1994 PA 451 (MCL 324.2045).
- **Recreation.** HB 6219 would allow a Michigan resident who is an honorably discharged military veteran or actively serving in a branch of the military to enter a state park without needing to purchase a recreation passport for their vehicle if they obtain a form that identifies their vehicle as being owned by a veteran or active duty military personnel. Amends secs. 74116 & 78119 of 1994 PA 451 (MCL 324.74116 & 324.78119).
- **Recreation.** HB 6230 would amend the Natural Resources and Environmental Protection Act (NREPA), to increase application fees for watercraft that are required to be registered to be operated on the waters of the state. The application fees would increase at three-year intervals. Amends sec. 80124 of 1994 PA 451 (MCL 324.80124).
- **Recreation.** HB 6245 would clarify that a person shall not operate a motorboat under the influence of marihuana. Amends secs. 80103, 80104, 80176, 80181, 80182, 80183, 80187, 81101, 81134, 81136, 81137, 81144, 82101, 82127, 82137, 82138, 82139

& 82143 of 1994 PA 451 (MCL 324.80103 et. seq.).

- **Recreation.** HB 1178 would grant free access to state parks and public boating sites to service members if the motor vehicle appropriately displays identification that owner is a resident who is an honorably discharged veteran or actively serving military member. Amends secs. 74116 & 78119 of 1994 PA 451 (MCL 324.74116 & 324.78119).
- **Retirement.** HB 5461 would create a new act, the Retirement Savings Program Act, which would establish a state-run, automatic enrollment individual retirement account (commonly known as an auto-IRA) program for Michigan employees.
- **Retirement.** HB 6060 would allow newly hired employees and current employees to opt in to the act's "Tier 1" defined benefit (DB) retirement plan. Amends secs. 4, 5, 43a, 81d & 91a of 1980 PA 300 (MCL 38.1304 et seq.) & adds secs. 69h, 81e & 81f.
- **Retirement.** HB 6061 would amend the State Employees' Retirement Act to automatically enroll newly hired employees in the act's "Tier 1" defined benefit (DB) retirement plan and to allow current employees to opt in to the DB plan. Amends secs. 1i, 13, 64 & 68 of 1943 PA 240 (MCL 38.1i et seq.) & adds secs. 19k & 50b.
- **Retirement.** SB 0165 would allow corrections officers, conservation officers, and other law enforcement officers to participate in the Michigan State Police retirement plan. Amends secs. 3 & 4 of 1986 PA 182 (MCL 38.1603 & 38.1604).
- **Retirement.** SB 0166 would the State Employees' Retirement Act to allow certain individuals who are qualified participants in the State Employees' Retirement System (SERS) to elect to join the Michigan State Police retirement plan. Amends sec. 55 of 1943 PA 240 (MCL 38.55) & adds secs. 50b, 50c, 50d, 64a, 64b & 64c.
- **Retirement.** SB 0167 would allow eligible individuals to purchase service credit for service under the State Employees' Retirement Act. Amends 1986 PA 182 (MCL 38.1601 - 38.1674) by adding secs. 24c, 24d & 24e.
- **Sales Tax.** HB 4906 would exempt from sales and use taxes the sale or the storage, use, or consumption of data center equipment under specific conditions related to the equipment's use in an enterprise data center (defined in the bills). Amends sec. 4ee of 1933 PA 167 (MCL 205.54ee).
- **Sales Tax.** HB 6194, tie barred with HB 6195, HB 6196'24, and HB 6197'24, would exempt the sale at retail of eligible fuel from tax under this act. "Eligible fuel" means any fuel subject to the tax levied under the Motor Fuel Tax Act. Amends secs. 6a & 25 of 1933 PA 167 (MCL 205.56a & 205.75) & adds sec. 4gg.
- **Sales Tax.** SB 0930 would allow marketplace sellers to collect and remit the Sales Tax for qualified delivery network sales. Amends sec. 2d of 1933 PA 167 (MCL 205.52d).
- **School Aid.** HB 5931 would add Administrative functions and Service functions to the list of consolidation opportunities that the grant eligibility study or analysis may include. Amends sec. 11x of 1979 PA 94 (MCL 388.1611x).
- **School Aid.** HB 6168 would allocate \$10,000,000 for reimbursements to eligible districts for reimbursement of the percentage of costs associated with the inclusion of menstrual hygiene products in its school buildings. Amends secs. 11 & 99g of 1979 PA 94 (MCL 388.1611 & 388.1699g).
- **School Aid.** SB 0943 would amend the State School Aid Act to require a school district or intermediate school district (ISD) that was a public school academy (PSA) to make available on its public website audited financial statements provided by certain organizations. Amends sec. 18 of 1979 PA 94 (MCL 388.1618).
- **School Aid.** SB 0995 would amend the State School Aid Act to allow a student teacher completing a student teaching requirement at a qualifying publicly funded preschool program to receive payment under the MI Future Educator Student Teacher Stipend Program. Amends sec. 27c of 1979 PA 94 (MCL 388.1627c).
- **State.** HB 6190 would host a redesign contest for the Michigan state flag and create a flag commission to conduct and officiate the contest. Amends title & sec. 3 of 1911 PA 209 (MCL 2.23) & adds sec. 3a.
- **State.** SB 0459 would allow the Secretary of State to issue and regularly update a mobile official State personal identification card. An individual is allowed to present their mobile official State personal identification card upon request by police. Amends sec. 2 of 1972 PA 222 (MCL 28.292).
- **State.** SB 1003 would create a new act to designate the cherry as the official fruit of Michigan.

- **State Agencies (Proposed).** SB 893 would amend the Hertel-Law-T. Stopczynski Port Authority Act to extend the allowable activities of a port authority, including the issuance of revenue bonds, to include those that pertain to facilities that it does not own, as well as related facilities as defined by the bill. The bill would also authorize a port authority to enter into public-private partnerships or other agreements necessary or useful to accomplish the purposes of the act. Amends title & secs. 2, 8, 9, 10, 13, 14, 14a, 16, 18, 20, 23, 24 & 25 of 1978 PA 639 (MCL 120.102 et seq.) & adds sec. 19a.
- **Tobacco.** HB 6022 would amend the Tobacco Products Tax Act to allow cities, townships, villages, counties, and other local units of government or political subdivisions to adopt ordinances and regulations pertaining to the sale and licensure of tobacco products. The bill would provide that the Tobacco Products Tax Act does not prohibit or in any way restrict those entities from imposing a requirement or a prohibition pertaining to the sale or licensure of tobacco product. Amends sec. 14 of 1993 PA 327 (MCL 205.434).
- **Townships.** HB 4860 would amend the Charter Township Act to modify the circumstances under which a township board member would abstain from a vote due to a conflict of interest. The Charter Township Act currently provides that a township board member who is present at a meeting generally must vote on all questions to be decided by the board, unless that member is unanimously excused by the other present members. This legislation would instead provide that a member of a township board who is present at a board meeting must vote on all questions unless the board member believes that a conflict of interest exists, in which circumstance the board member may abstain from a vote on that question. Amends sec. 7 of 1947 PA 359 (MCL 42.7).
- **Traffic Control.** HB 4132 and 4133, tie-barred, would amend the Michigan Vehicle Code to allow the Michigan State Police (MSP) and the Department of Transportation (MDOT) to install and use automated speed enforcement systems in work zones on highways or streets under the jurisdiction of MDOT, create a unit within MSP to oversee the use of these systems, create the Work Zone Safety Fund, and make other related changes. HB 4133 would make complementary changes to the Revised Judicature Act. Amends secs. 79d, 907 & 909 of 1949 PA 300 (MCL 257.79d et seq.) and sec. 8379 of 1961 PA 236 (MCL 600.8379) & adds secs. 2c, 627c & 907a.
- **Transportation.** HB 6088 would amend the Public Transportation Authority Act to no longer allow municipalities in Wayne County to opt out of the county's public transit authority and to remove the five-year limit on taxes levied by public transit authorities. Amends secs. 8, 18 & 29 of 1986 PA 196 (MCL 124.458 et seq.).
- **Water Supply.** HB 5906 and 5909, tie-barred, would amend 1955 PA 233, which governs municipal sewage and water supply systems, to allow certain water supply and sewage disposal authorities (each referred to under the legislation as a "qualified authority") to adopt and enforce ordinances, rules, and regulations for the safe and efficient operation of certain systems and to establish a law enforcement agency for their enforcement. Under the legislation, a qualified authority could adopt ordinances, rules, and regulations by resolution of the authority's governing body. The legislation would also amend 2006 PA 563, the Code of Criminal Procedure and Michigan Commission on Law Enforcement Standards Act to make applicable changes to those laws with respect to the enforcement of the amendments to 1955 PA 233. Amends sec. 1 of 2006 PA 563 (MCL 15.391) and title & secs. 1, 4, 4a, 4b, 4c & 4d of 1955 PA 233 (MCL 124.281 et seq.).

