

Briefly

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Letter from the Outgoing Chair of the Government Law Section Council

By Chris Forsyth

Deputy County Administrator, Grand Traverse County

Dear GLS Members,

As my tenure as Chair has come to an end, I want to extend my heartfelt gratitude to the Section and Council for their unwavering support, dedication, and collaboration over the past twelve months. It has been an honor to serve as Section Chair alongside Kristin Kolb, Dawn King, and Julianne Pastula, the 2024-2025 Section officers. All are talented and dedicated municipal lawyers.

This past year, we organized two outstanding events for our members. In February, we convened at the Troy Community Center to discuss the latest developments in municipal law and engage in a special panel on professionalism and wellbeing. In June, we joined forces with the Michigan Association of Municipal Lawyers at the Grand Traverse Resort and Spa for the Joint Summer Educational Conference. The conference featured presentations on the intersection of law and technology, addressing topics such as ransomware threats and drone regulation. We also continued our tradition of the Bocce ball tournament in honor of John Beras, the former Southfield City Attorney and a leader in municipal law.

Additionally, our various Section Committees have consistently worked to advocate for and advance the interests of the Section and our public sector clients. Notably, the Amicus Committee sponsored or prepared multiple amicus briefs for cases pending in the Michigan Court of Appeals and Supreme Court.

I am confident that new officers Kristin Kolb, as the incoming Chair, Dawn King, Vice Chair, Julianne Pastula, Treasurer/Secretary, and Aaron Thomas, Deputy Treasurer/Secretary will lead the Section with excellence. Their expertise and passion for the public sector will undoubtedly benefit us all. I extend my sincerest best wishes to Kristin, Dawn, Julianne, and Aaron for a successful and fruitful year.

Thank you once again for the opportunity to serve as your Chair. I look forward to witnessing the continued growth and achievements of the Government Law Section.

Sincerely,

Chris Forsyth

Outgoing Chair, GLS

Government Law Case Summaries

By Debari T. Gordon-Lehman
Bodman, PLC

***Floyd v. City of Ann Arbor,* COA Docket No. 371329 (June 09, 2025)**

In *Floyd v. City of Ann Arbor*, the Michigan Court of Appeals held that Plaintiff failed to state a viable claim for injunctive relief under the Open Meetings Act (“OMA”). In *Floyd*, Plaintiff alleges the City of Ann Arbor violated the OMA during an October 16, 2023 City Council meeting by entering a closed session to conduct the City Attorney’s personnel evaluation without properly citing the statutory basis under MCL 15.268(a). Although the meeting minutes later referenced subsection (a), the subsection was omitted from the motion made on the record to enter the closed session. Plaintiff filed a complaint in the Washtenaw County Circuit Court, alleging that the City violated the OMA by holding a closed meeting on October 16, 2023, without announcing the purpose as required by MCL 15.267. Plaintiff “sought injunctive relief and an appointment of a master to monitor the City’s compliance under the OMA[.]” In lieu of filing an answer, the City filed a motion for summary disposition under MCR 2.116(C)(8) and (C)(10). The trial court concluded that plaintiff failed to state an OMA claim upon which relief could be granted and awarded summary dis-

position to the City. Plaintiff appealed. On Appeal, the COA affirmed the decision of the Circuit Court finding that plaintiff failed to state a valid claim for injunctive relief because he alleged only a single, past OMA violation at the October 16, 2023 meeting and presented no facts showing an ongoing violation or imminent irreparable harm. The Court also reasoned that the alleged defect, failure to cite the proper statutory subsection for the closed session, was later corrected in the meeting minutes. Thus, the Court found no factual support for the claim that the City had a broader practice of conducting business in secrecy and further noted that the OMA does not authorize the appointment of a special master.

***Aoun v. City of Dearborn,* COA Docket No. 369102 (April 12, 2025)**

In *Aoun v. City of Dearborn*, the Michigan Court of Appeals held that MCL 15.234(2) “explicitly outlines the framework for deductions from fees, setting forth a permissible deduction amount of \$20[.]” the court held that this statutory language supported defendant’s action in giving plaintiff only the \$20 discount. In *Aoun*, Plaintiff filed an action under Michigan’s Freedom of Information Act (“FOIA”), MCL 15.231 *et seq.*, seeking production of emails and text messages from various City of Dearborn officials. The City advised that the cost to process the request was \$13,604.86. After applying a \$20 indigency waiver and a \$678.99 reduction for defendant’s delayed response, the remaining balance was \$12,905.87. Plaintiff thereafter commenced his lawsuit, alleging that defendant violated FOIA by demanding an excessive fee. In lieu of an answer, the City filed a motion for summary disposition pursuant to MCR 2.116(C)(8) and (10). The trial court granted the City’s motion. Plaintiff appealed. The issue on appeal was whether Plaintiff was “entitled to a discount greater than the \$20 given to him by defendant.” The Court held that MCL 15.234(2) clearly states that indigent individuals and certain nonprofit organizations are entitled to receive copies without charge for the first \$20 of the fee. Therefore, the statutory language clearly



supports the actions taken by defendant in this instance. Thus, the defined parameters set forth in MCL 15.234(2) allow for a \$20 deduction from fees, which is precisely what plaintiff received from the City.

***In re Petition of Chippewa Cnty.
Treasurer for Foreclosure,
COA Docket No. 371576 (September 09, 2025)***

In *In re Petition of Chippewa Cnty. Treasurer for Foreclosure*, the Michigan Court of Appeals held that the General Property Tax Act (“GPTA”) requires surplus proceeds to be calculated and paid on a property-by-property basis, so the treasurer could not aggregate losses from other parcels to defeat the owner’s claim to surpluses from four profitable sales. In *In re Petition of Chippewa Cnty.*, Petitioner, the Chippewa County Treasurer, conducted tax-foreclosure sales of 20 properties formerly owned by the Claimant. Four of the sales generated surplus proceeds, while the remaining 16 produced no surplus or resulted in losses. When considered together, the sales yielded an overall net loss. Despite this, the claimant sought payment of the surplus proceeds from the four profitable sales. The trial court denied the request, concluding that distributing those surpluses would unjustly enrich the Claimant at the public’s expense, contrary to MCL 211.78t(9). Claimant appealed. The Court explained that under MCL 211.78m(8)(c), when surplus proceeds are distributed pursuant to MCL 211.78t(9), the foreclosing governmental unit (FGU) must make such payments “on a property-by-property basis.” Applying this requirement, the Court held that an FGU may not combine surplus proceeds from one property to offset losses from another property owned by the same claimant. The Court held the trial court erred by doing exactly that, aggregating the results of all 20 sales and denying the Claimant the surplus proceeds from the four profitable properties on the ground of unjust enrichment. The Court further explained that, to the extent MCL 211.78m(8)(c) conflicts with the general unjust-enrichment restriction in MCL 211.78t(9), the more specific directive in MCL 211.78m(8)(c) controls over the general proscription of unjustly enriching claimants set forth in MCL 211.78t(9). Thus, the Court reversed and remanded.

***Herschfus v. City of Oak Park, MI,
U.S. Court of Appeals Sixth Circuit,
Case No. No. 24-145 (August 5, 2025)***

In *Herschfus v. City of Oak Park, MI*, the U.S. Court of Appeals Sixth Circuit held that Plaintiff-Herschfus had

standing to bring a Fourth Amendment claim against Defendant-City of Oak Park where he established an “injury” that the City denied him a landlord license only because he insisted that it get a warrant before inspecting his properties. However, the Court held that Plaintiff could not succeed on the merits and the City’s licensing regime did not violate the Fourth Amendment. The Court further held Plaintiff’s equal protection claim also failed. In *Herschfus*, Plaintiff owns several rental properties in Oak Park. Although he previously operated under a City-issued rental license, he refused to sign the consent form authorizing a new inspection when his license came up for renewal. Plaintiff continued renting the properties without a renewed license, leading the City to issue third-time infraction notices carrying misdemeanor charges. Plaintiff then filed suit, but the District Court granted summary judgment in favor of the City. On appeal, the Court found that Plaintiff had standing because he alleged an injury stemming from being denied a landlord license solely for refusing to waive his Fourth Amendment rights and demanding a warrant before inspection. Plaintiff also faced significant fines for renting without a license, and the Court explained Plaintiff “has a classic pocketbook harm.” Nonetheless, the Court affirmed dismissal on the merits. The Court held that an exception to the warrant requirement applies when the inspection’s primary purpose is distinct from general crime control and obtaining a warrant would be impracticable. Because Plaintiff challenged the City’s conditioning of a license on inspection consent, the Court analyzed the issue under the unconstitutional-conditions doctrine and concluded, relying on precedent like *Wyman*, that Oak Park’s rental licensing scheme did not impose an unreasonable or unconstitutional condition. In reaching its decision, the Court explained Oak Park’s rental licensing scheme did not impose an unreasonable or unconstitutional condition because it required only a limited, regulatory inspection as a condition of receiving a license, a permissible form of government oversight under *Wyman* and similar precedents. The inspection served a legitimate public safety purpose, protecting tenants, and was neither coercive nor criminal in nature. Like the home visits in *Wyman*, the inspections were scheduled, nonintrusive, and carried only the consequence of license denial for noncompliance, not criminal penalties for refusing consent. The Court further rejected Plaintiff’s equal protection claim, finding the City’s regulation of one- and two-family rentals rationally related to legitimate public health and safety objectives.

***Fairchild v. City of Southfield,*
COA Docket No. 371041 (July 17, 2025)**

In *Fairchild v. City of Southfield*, the Michigan Court of Appeals held that Plaintiff failed to show that Defendant-City of Southfield had notice of the defect at issue in this case involving the highway exception to governmental immunity and the Court affirmed summary disposition for the City. In *Fairchild*, Plaintiff was riding an electric skateboard northbound on Evergreen Road around 10:30 p.m., using his cell phone flashlight for visibility. As a car approached from behind, Plaintiff veered slightly left to let it pass and struck a pothole roughly three feet from the left-hand turn lane. The impact threw him from the skateboard, causing a broken wrist; he then got back on and rode home. Plaintiff filed suit, alleging that Defendant was liable under the highway exception to governmental immunity, MCL 691.1402, for failing to maintain Evergreen Road in reasonable repair. Defendant filed a motion for summary disposition. Defendant argued that it was entitled to statutory immunity under the governmental tort liability act, MCL 691.1401 *et. seq.* The Court rejected Plaintiff's argument, finding he failed to present evidence showing that the defect existed for at least 30 days before his injury or that it was readily apparent to an ordinarily observant person. Plaintiff's proof consisted mainly of

Google Street View images from October 2020 and photos taken in November 2023. The earlier images showed the area covered in rubberized sealant, while the later photos depicted a long, narrow pothole where the sealant had deteriorated. The Court reasoned because the photos were taken years before and after the incident, they did not establish the road's condition 30 days prior to the fall or that the City knew of the defect. Plaintiff also submitted no city records, complaints, or other documentation showing notice, whereas the City produced records of reported potholes dating back to 2006, none involving the one at issue. Thus, the Court held that the Trial Court did not err by granting summary disposition to defendant.

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.



Legislative Update

By Aimee Gibbs, John Weiss, Eric McGlothlin, Laura Bassett, Amelia Livingway, and Sophie Stoepker
Dickinson Wright PLLC

As the current legislative session proceeds, there are 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

- **Highways.** Public Act 23 of 2025 creates a comprehensive road funding act. Creates new act.
- **Property.** Public Act 13 of 2025 amends PA 200 of 1945, which defines a marketable record title to an interest in land to, amongst other things, modify the criteria used to evidence an unbroken chain of title, modify the information required to be included on a notice of claim, allow a person acting on behalf of a claimant as an agent or authorized in writing and a property owners' association to file notice of a claim, prohibit the Act from being used for certain purposes, including those that would infringe on individual rights, to name a few. Amends title & secs. 1, 1a, 2, 3, 4, 5, 6 & 8 of 1945 PA 200 (MCL 565.101 et seq.) & adds sec. 5a.
- **Businesses.** HB 4745 would amend the Charitable Organizations and Solicitations Act to exempt non-profit corporations that are primarily engaged in the collection, storage, transportation, and distribution of donated food items from the Act's registration and reporting requirements for charitable organizations. Amends sec. 13 of 1975 PA 169 (MCL 400.283).
- **Civil Procedure.** SB 386 would amend Part 201 (Environmental Remediation) of the National Resource and Environmental Protection Act (NREPA) to provide that an individual who does not have a present injury or disease would have a cause of action to seek medical monitoring due to exposure to a hazardous substance under certain circumstances and to allow such action to be part of a class action. Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding sec. 5830.
- **Civil Rights.** HB 4024 would create the Student Restroom Privacy Act, which would require that a public educational institution require every multiple occupancy restroom or changing area to be used by individuals based on the individuals' biological sex. Creates new act.
- **Civil Rights.** HB 4548 would prohibit discrimination because of ethnicity, including discrimination because of Jewish Heritage, under the Elliot-Larsen Civil Rights Act. Amends title & secs. 102, 103, 202, 203, 204, 205, 206, 207, 209, 210, 301, 302, 302a, 402, 502, 504, 505, 506 & 507 of 1976 PA 453 (MCL 37.2102 et seq.).
- **Administrative Procedure.** HB 4039 would amend the Administrative Procedures Act to require state agencies to rescind two rules for every new rule they propose. Amends sec. 39 of 1969 PA 306 (MCL 24.239).
- **Administrative Procedure.** HB 4160 would amend the Administrative Procedures Act to prohibit a state agency from adopting a rule that is more stringent than the applicable federal standard, unless the state department's director determines that there is a clear and convincing need to exceed that standard. Amends secs. 32 & 45 of 1969 PA 306 (MCL 24.232 & 24.245).
- **Civil Rights.** HB 4664 would create a new criminal penalty under the Michigan Vehicle Code for obstructing a road while participating in an assembly on a state highway. Amends sec. 676b of 1949 PA 300 (MCL 257.676b).
- **Alienage.** HB 4941 would prohibit immigration enforcement agreements between a law enforcement agency and the Department of Homeland Security. Creates new act.
- **Civil Rights.** HB 4849 would create the Student Free Press Act, to provide for free speech for students of public high schools and public community colleges and universities. Creates new act.
- **Civil Rights.** HB 4858 would prohibit government entities from disclosing information that will be used

for the enforcement of federal immigration law under certain circumstances. Creates new act.

- **Civil Rights.** SB 0288 would expand the reasons that a public body could hold a closed session under the Open Meetings Act to include specific attorney consultation and the consideration of a claim, lawsuit, or criminal investigation concerning the public body. Amends sec. 8 of 1976 PA 267 (MCL 15.268).
- **Counties.** HB 4415 would revise provisions in the County Road Law related to the purchase of machines, tools, appliances, and materials by a county road commission, including increasing the monetary threshold that requires purchases through advertisement and sealed bids. Amends sec. 10 of 1909 PA 283 (MCL 224.10).
- **Counties.** HB 4427 would require under the Emergency Management Act the issuance of a “brown alert” for a county if the waters of that county are determined to contain a dangerous level of E. coli (an amount in excess of 300 E. coli per 100 milliliters) as the result of a discharge of sewage from a combined sewer or sanitary sewer overflow event. Amends 1976 PA 390 (MCL 30.401 - 30.421) by adding sec. 10a.
- **Courts.** HB 4749 would establish an Antrim County trial court system. Amends secs. 810a, 8151 & 8176 of 1961 PA 236 (MCL 600.810a et seq.) & adds sec. 8165.
- **Criminal Procedure.** House Joint Resolution P would require the Michigan Supreme Court to determine within 48 hours of a request to do so by the Governor, Attorney General, or the Legislature whether there is a rebellion or invasion occurring in this state such that public safety requires that habeas corpus be suspended. Amends section 12 of Article I of the State Constitution of 1963.
- **Drains.** HB 4118 provides for levying special assessments against DNR lands. Amends secs. 151, 154, 280, 468 & 520 of 1956 PA 40 (MCL 280.151 et seq.).
- **Drains.** HB 4831 modifies the procedure for revision of drainage district boundaries. Amends secs. 135 & 197 of 1956 PA 40 (MCL 280.135 & 280.197).
- **Economic Development.** HB 4209 modifies certain requirements for initial assessed value downtown development authorities. Amends sec. 201 of 2018 PA 57 (MCL 125.4201). See also SB 0108.
- **Elections.** HB 4584, tie-barred with HB 4583, limits school millage elections to November elections. Amends secs. 312, 641 & 821 of 1954 PA 116 (MCL 168.312 et seq.).
- **Fireworks.** HB 4731 allows local ordinances regarding fireworks regulation in certain circumstances. Amends secs. 5 & 7 of 2011 PA 256 (MCL 28.455 & 28.457).
- **Human Services.** HB 4555 creates a water rate affordability program. Creates new act.
- **Land Use.** SB 323, tie-barred with SB 322, deletes the provisions of the Michigan Zoning Enabling Act subjecting zoning authority to part 8 of the clean and renewable energy waste reduction act. Amends sec. 205 of 2016 PA 110 (MCL 125.3205).
- **Land Use.** SB 327 prohibits use of farmland for commercial solar facilities. Amends sec. 36104e of 1994 PA 451 (MCL 324.36104e).
- **Land Use.** SB 595 provides for survey of parts of the Michigan-Indiana boundary and for grants to county remonumentation programs. Amends secs. 7, 11, & 13 of 2022 PA 81 (MCL 54.317, MCL 54.321, & MCL 54.323) & repeals 2022 PA 81 (MCL 54.311 – MCL 54.323).
- **Law Enforcement.** SB 335, tie-barred with SB 341, requires law enforcement agencies to adopt a duty to intervene policy. Creates new act.
- **Law Enforcement.** SB 343 allows individuals filing complaints against law enforcement to remain private. Creates new act.
- **Law Enforcement.** HB 4760 prohibits law enforcement officer use of facial coverings or disguises in certain circumstances and requires appropriate identification. Amends 1931 PA 328 (MCL 750.1 – MCL 750.568) by adding sec. 396a.
- **Law Enforcement.** SB 508 prohibits immigration enforcement at certain locations and in certain circumstances. Creates new act.
- **Law Enforcement.** SB 510 prohibits use of certain masks or disguises by law enforcement in certain circumstances and require certain uniforms. Amends 1931 PA 328 (MCL 750.1 – MCL 750.568) by adding sec. 396a.
- **Law Enforcement.** SB 333 requires law enforcement agencies to create use of force policies. Creates new act.

- **Law Enforcement.** SB 334, tie-barred with SB 341, requires mental health and law enforcement response training for law enforcement officers. Amends title of 1965 PA 203 (MCL 28.601 – MCL 28.615) & adds secs. 9f & 9g.
- **Law Enforcement.** HB 4859 prohibits immigration enforcement at certain locations and in certain circumstances. Creates new act.
- **Local Government.** HB 4757 modifies the authorized investment of surplus funds of political subdivisions. Amends secs. 1, 5, 7 & 7a of 1943 PA 20 (MCL 129.91 et seq.).
- **Local Government.** HB 4821 provides for regulation of certain drainage fees. Amends 1968 PA 2 (MCL 141.421 – MCL 141.440a) by adding sec. 13b.
- **Local Government.** HB 4694, tie-barred with HB 4798 & HB 4695, provides for revisions to the recreational authorities act. Amends secs. 5, 7, 9, 11 & 21 of 2000 PA 321 (MCL 123.1135 et seq.) & adds sec. 10.
- **Local Government.** HB 4695, tie-barred with HB 4694, provides for revisions to the recreational authorities act. Amends secs. 1 & 3 of 2000 PA 321 (MCL 123.1131 & MCL 123.1133).
- **Local Government.** HB 4798, tie-barred with HB 4694, provides for revisions to the recreational authorities act. Amends sec. 1901 of 1994 PA 451 (MCL 324.1901).
- **Local Government.** SB 575 modifies certain financing filing fees. Amends secs. 303 & 319 of 2001 PA 34 (MCL 141.2303 & MCL 141.2319).
- **Marihuana.** SB 597 places limit on number of marihuana retailer licenses. Amends secs. 7, 8, 9 & 9a of 2018 IL 1 (MCL 333.27957 et seq.) & adds sec. 9b.
- **Medical Marihuana.** SB 598 places limit on number of marihuana provisioning center licenses. Amends secs. 102, 302, 401 & 402 of 2016 PA 281 (MCL 333.27102 et seq.) & adds sec. 402a.
- **Mental Health.** HB 4530, tie-barred with HB 4531, would amend Section 748a (MCL 330.1748a), as added by 1998 PA, to create a deadline for mental health professionals to release mental health records or information pertinent to child abuse or neglect investigation to the department. Amends sec. 748a of 1974 PA 258 (MCL 330.1748a).
- **Natural Resources.** HB 4385 would amend the Natural Resources and Environmental Protection Act to allow property owners to install certain erosion control measures under specified conditions. The bill would also require that, when reviewing an application for a permit under Part 323 (Shorelands Protection management), EGLE must give deference to a landowner's rights over public access rights. Amends secs. 32312, 32312a & 32510 of 1994 PA 451 (MCL 324.32312 et seq.) & adds sec. 32510a.
- **Natural Resources.** HB 4783, tie-barred with HB 4784-6, would grant the authority to make decisions regarding fish in the Upper Peninsula to the Upper Peninsula Natural Resources Commission. Amends secs. 48701, 48703 & 48703a of 1994 PA 451 (MCL 324.48701 et seq.).
- **Natural Resources.** HB 4822 would require the natural resources commission to live stream all meetings, publish the link for viewing meetings, make past meetings available for viewing, and maintain a publicly available archive of all past meetings, organized and searchable by date and subject matter. Amends sec. 501 of 1994 PA 451 (MCL 324.501).
- **Natural Resources.** HB 4851 would require land owned by the state and managed by the department of natural resources to be conveyed if such land constitutes more than 50% of the land in a county, township, city, village or school district. The department further would not be permitted to acquire additional land in such a public corporation if the land owned by this state and managed by the department constitutes or, as a result of an acquisition, will constitute more than 50% of the land in the public corporation. Amends secs. 503 & 2132 of 1994 PA 451 (MCL 324.503 & 324.2132).
- **Property Tax.** HB 4583 would require a local taxing unit to submit a proposal imposing a new millage or increasing or renewing an existing millage for a vote only during the November regular election date as provided in section 641 of the Michigan election law. Amends secs. 24f & 36 of 1893 PA 206 (MCL 211.24f & 211.36).
- **Property Tax.** HB 4787, tie-barred with HB 4788, would provide a property tax exemption for qualified replacement electric distribution infrastructure and the mechanism to obtain, and maintain, the exemption. Amends 1893 PA 206 (MCL 211.1 - 211.155) by adding sec. 7yy.

- **Property Tax.** HB 4799 would amend the General Property Tax Act to change how the date of receipt for certain documents is determined under the act. Under the bill, the postmark of the USPS or any other common carrier would be considered the date of receipt of a payment or any communication or notification from or on behalf of a taxpayer under the act, regardless of whether the postmark was more than 7 days prior to the mail's actual receipt. Amends sec. 44b of 1893 PA 206 (MCL 211.44b).
- **Property Tax.** SB 0442 would provide property tax exemptions for certain nonprofit housing properties. Moreover, provides an update to the language from "low-income person" to "income-eligible person." Amends sec. 7kk of 1893 PA 206 (MCL 211.7kk).
- **Property Tax.** SB 0484, tie-barred SB 485, would provide a property tax exemption for certain tax delinquent property that is sold or otherwise conveyed by a foreclosing governmental unit. Amends sec. 7gg of 1893 PA 206 (MCL 211.7gg).
- **Public Employees and Officers.** SB 0490 would prohibit a public officer of the state or of a political subdivision from entering into certain nondisclosure agreements regarding economic development projects and provides remedies in the case where this does arise. Creates new act.
- **Public Utilities.** HB 4486 would prohibit the governing body of a county, city, village, or township from adopting or enforcing an ordinance, resolution, or policy that prohibits the use of natural gas, or the installation of infrastructure to transport or distribute natural gas, in that municipality. Creates new act.
- **Public Utilities.** HB 4526 would require the court, in determining the public necessity of the acquisition of property by a transmission company, to determine the acquisition is necessary only if the transmission company demonstrates by clear and convincing evidence that the proposed route of the transmission line is more reasonable than other possible routes for the line. Amends sec. 6 of 1980 PA 87 (MCL 213.56).
- **Public Utilities.** HB 4590 would establish a framework for local distributed shared solar (LDSS) facilities that creates a new community solar program. This bill would require the Michigan Public Service Commission (MPSC) to develop rules within 1 year that enable the creation of solar facilities that can be subscribed to by multiple customers, with each subscriber receiving bill credits proportional to their investment. These LDSS facilities would also be required to meet several requirements (must have at least 3 subscribers, connect to the electric grid, use solar panels from specific locations, and meet capacity requirements). Amends sec. 5 of 2008 PA 295 (MCL 460.1005) & adds pt. 9.
- **School Aid.** SB 0493 would establish a grant program operated by the Michigan Department of Education for the purpose of reducing kindergarten through third grade class sizes to no more than 19 students per class in eligible districts. Amends 1979 PA 94 (MCL 388.1601 - 388.1896) by adding sec. 31c.
- **State Agencies (Proposed).** SB 0052 would allow port authorities, which manage ports and other related transportation infrastructure, to, among other things, (1) enter, amend, and terminate ancillary financing facilities, including but not limited to revolving credit agreements, (2) authorize the issuance of revenue refunding bonds to refinance outstanding debt of the authority, (3) enter a contract with a city or county requesting the incorporation of the authority for the construction, operation, or financing of facilities or to refund any prior indebtedness of the authority, and (4) enter into public-private partnerships or other agreements necessary or useful to accomplish the purposes of the Port Authority 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.
- **State Management.** HB 4420 (H-2) would prohibit the expenditure of an appropriated enhancement grant unless certain information is timely submitted to the Department of Technology, Management, and Budget and disclosed on an official website of the department that is available to the public. Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 1365a.
- **State Management.** SB 109 would create the State Hazard Mitigation Fund, create a grant program for state or local hazard mitigation activities, revise parameters for the current Disaster and Emergency Contingency Fund, and require an annual report to the legislature on both funds. Amends title & secs. 18 & 19 of 1976 PA 390 (MCL 30.418 & 30.419) & adds sec. 18a.
- **State Management.** SB 574 would discontinue the annual \$17.5 million deposit of tobacco settlement revenues into the Countercyclical Budget and Economic Stabilization Fund, which was scheduled to continue through FY 2034-35. Amends sec. 7 of 2000 PA 489 (MCL 12.257).

- **Streamline Sales and Use Tax.** HB 4181, HB 4180, HB 4182, HB 4183, HB 4184, HB 4185, HB 4186 and HB 4187, tie-barred, would, under HB 4181, exempt interstate motor carriers from the sales tax on motor fuels and alternative fuels beginning January 1, 2026. Amends secs. 3 & 5 of 2004 PA 175 (MCL 205.173 & 205.175).
- **Taxation.** HB 4230 and HB 4187, tie-barred, would, under HB 4230, amend 1951 PA 51 to create the Neighborhood Road Fund (NRF). Based on HB 4187, the NRF would receive approximately \$375.0 million per year from FY 2025-2026 through FY 2029-2030, and \$275.0 million per year thereafter. From FY 2025-2026 to FY 2029-2030, the NRF would allocate \$100.0 million to local bridges and the remaining revenue would be distributed to county road commissions and cities and villages.
- **Taxation.** HB 4320 (H-1) and HB 4187, tie-barred, would, under HB 4320 (H-1), create the Neighborhood Road Fund (NRF). Based on the distribution of revenue under HB 4187 (H-1), from Fiscal Years 2025-2026 to 2029-2030, the NRF would allocate \$100.0 million to local bridges and the remaining revenue would be distributed to county road commissions and cities and villages. After Fiscal Year 2029-2030, all the money in the NRF would be distributed to county road commissions and cities and villages. Regardless of the fiscal year, the county portion would be distributed so each county would receive \$100,000 and any remaining revenue would be distributed based on the county's proportional share of the total combined mileage of all county road commissions. For cities and villages, the distribution would be distributed to each unit's road agency based on the local unit's proportional share of the total combined mileage of all city and village road agencies. Amends 1951 PA 51 (MCL 247.651 - 247.675) by adding sec. 13c; Amends secs. 623 & 695 of 1967 PA 281 (MCL 206.623 & 206.695).
- **Traffic Control.** HB 4343 would provide that seasonal reductions in certain maximum axle weights and gross vehicle weight maximums under the Motor Vehicle Code do not apply to vehicles traveling to assist with or directly assisting with a disaster or emergency during a state of disaster or state of emergency declared under the Emergency Management Act. Amends sec. 722 of 1949 PA 300 (MCL 257.722).

