



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 145 (as reported by the Committee of the Whole)
Sponsor: Senator Michael D. Bishop
Committee: Transportation

CONTENT

The bill would amend Public Act 296 of 1969, which governs the transfer of jurisdiction over highways, to allow a county board of commissioners to initiate a process transferring a city or village road, previously under the jurisdiction of the county, back to the county. The road being transferred would have to serve more than one city or village and have been blocked or closed for more than six months.

Specifically, in a county with a population over 1 million, the county board of commissioners could request that the governing body of a city or village within the county transfer to the board of county road commissioners, or, in the case of a charter county with an elected county executive that did not have a board of county road commissioners, to the county executive and county commission, jurisdiction of a road that was once under the jurisdiction of that board, if the county board of commissioners made all of the following findings:

- The road had been blocked or closed for more than six months and the city or village could not demonstrate a compelling need for blocking or closing the road.
- For purposes of health, safety, and welfare, the road should not be blocked.
- The road was used to serve more than one city or village within the county.

If, within 30 days after receiving the request, the city or village governing body did not consent to transfer jurisdiction of the road or did not demonstrate a compelling need for blocking it, the county board of commissioners could initiate proceedings under the Act to transfer jurisdiction of the road back to the county board of road commissioners. If the county demonstrated to the Highway Jurisdiction Determination Board that the city or village had no compelling need to close or block the road, the city or village could rebut that demonstration, and demonstrate to the Board that the other two findings had not been satisfied. The Board would have to render a decision in favor of the county if the city or village could not rebut the demonstration that there was no compelling need to block the road, or could not demonstrate that the other required findings had not been satisfied.

MCL 247.855 et al.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill could result in the transfer of Michigan Transportation Fund revenue between local units of government. The transfer of highway jurisdiction would have no net State or local fiscal impact. The amount of revenue transferred from one unit to another would be contingent on the Public Act 51 of 1951 formula governing the distribution of Michigan Transportation Fund among local units of government.

Date Completed: 4-27-04

Fiscal Analyst: Craig Thiel