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Senate Bill 839 (as introduced 11-12-03)
Sponsor: Senator Ron Jelinek
Committee: Appropriations

Date Completed: 1-28-04

CONTENT

The bill would authorize the State Administrative Board, on behalf of the State, to convey for \$1 to New Buffalo Township, a parcel of property under the jurisdiction of the Department of State Police located in Berrien County, as described in the bill, to be used for public purposes.

The conveyance would have to require the property to be used exclusively for public purposes, and provide that upon termination of that use or use for any other purpose, the State could reenter and repossess the property, terminating the grantee's estate in it. In addition, the conveyance would have to provide that if the grantee disputed the State's right of reentry and did not promptly deliver possession of the property to the State, the Attorney General, on behalf of the State, could bring action to quiet title to, and regain possession of, the property.

If the property were not sold to the township within one year after being offered, the Director of the Department of Management and Budget (DMB) could offer the property for sale to the public for not less than fair market value as determined by an appraisal prepared by an independent appraiser. Further, if the property were offered for sale at less than fair market value, the sale would have to be conducted in a manner designed to realize that highest price from the sale to the State, done in an open manner using a competitive sealed bid, real estate brokerage services, or public auction.

The bill would authorize the DMB Director to order a reappraisal of the property, withdraw the property from sale, or offer the property for sale for less than the fair market value, if the Director found, with concurrence of the State Administrative Board, that act to be in the best interest of the State.

The conveyance would have to be by quitclaim deed approved by the Attorney General. The revenue received under the bill would have to be deposited in the State Treasury and credited to the General Fund.

FISCAL IMPACT

The bill would have a minimal fiscal impact on State government. Public Act 102 of 1998 conveyed two parcels of property at the site of the former New Buffalo State Police post, from the Department of State Police to New Buffalo Township. Public Act 102 did not convey the third and final parcel at the site, leaving it possession of the State Police. This bill would authorize the final parcel to be conveyed for \$1, the same amount contained in the original conveyance.

Fiscal Analyst: Mike Hansen

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.