

HOUSE BILL NO. 5317

December 02, 2025, Introduced by Reps. Cavitt, Kelly, Pavlov, Kunse, Schriver, Wortz, Bierlein, O'Neal, Wooden, Mentzer, McFall, Brixie, Roth, Woolford, DeBoyer, Neyer, Wozniak and BeGole and referred to Committee on Natural Resources and Tourism.

A bill to amend 1965 PA 261, entitled

"An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of commissioners with respect to county and regional parks and recreation commissions,"

by amending section 1 (MCL 46.351), as amended by 2006 PA 588.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. (1) The county board of commissioners of a county, by
- 2 resolution adopted by a 2/3 vote of all its members, may create a
- 3 county parks and recreation commission, which ~~shall~~**must** be under

1 the general control of the **county** board of commissioners.

2 (2) The county parks and recreation commission ~~shall~~**must**
3 consist of the following members:

4 (a) The chairperson of the county road commission or another
5 road commissioner designated by the board of county road
6 commissioners.

7 (b) The county drain commissioner or ~~an employee of the drain~~
8 ~~commissioner's office designated in writing by the drain~~
9 ~~commissioner.~~**the county drain commissioner's designee.**

10 (c) One of the following:

11 (i) In a county that elects a county executive under section 9
12 of 1973 PA 139, MCL 45.559, the county executive or ~~a designee of~~
13 ~~the county executive.~~**the county executive's designee.**

14 (ii) In a county with a population of 1,000,000 or less, the
15 chairperson of the county planning commission or another member of
16 the county planning commission designated by the county planning
17 commission. In a county that does not have a county planning
18 commission, the chairperson of the regional planning commission
19 shall serve on the county parks and recreation commission if that
20 ~~person~~**individual** is a resident of that county. If the chairperson
21 of the regional planning commission is not a resident of that
22 county, then the **county board of commissioners** shall, by a 2/3
23 vote, appoint a member of the regional planning commission who is a
24 resident of that county to serve on the county parks and recreation
25 commission.

26 (d) ~~Seven~~**Except as otherwise provided in this subdivision, 7**
27 members appointed by the county board of commissioners, not less
28 than 1 and not more than 3 of whom ~~shall~~**must** be members of the
29 **county board of commissioners. Beginning January 1, 2027, if a**

1 county has a population of less than 100,000, the county board of
2 commissioners of that county may reduce the number of members
3 appointed under this subdivision to 4 members, not less than 1 and
4 not more than 3 of whom must be members of the county board of
5 commissioners.

6 (e) For counties with a population greater than 750,000 but
7 less than 1,000,000, the county board of commissioners shall
8 appoint a neighborhood representative. The appointee under this
9 subdivision ~~shall~~**must** be an officer of the homeowners or property
10 owners association that represents the largest area geographically
11 that is located totally or partially within 1,000 feet of the
12 property boundary of the most frequently used county park who is
13 willing to serve on the county parks and recreation commission. If
14 a homeowners or property owners association is not located within
15 1,000 feet of that park or no officer is willing to serve, then the
16 appointee ~~shall~~**must** be a resident who lives within 1/2 mile of
17 that park and who is willing to serve on the county parks and
18 recreation commission. If no resident lives within 1/2 mile of that
19 park or no resident is willing to serve, then the appointee ~~shall~~
20 **must** be a resident of the city, village, or township in which that
21 park is located who is willing to serve on the county parks and
22 recreation commission. The first appointment under this subdivision
23 ~~shall~~**must** be made not more than 60 days ~~from October 17, 2003 or~~
24 ~~not more than 60 days from~~**after** the date a county qualifies for an
25 appointment under this subdivision.

26 (3) Of the members first appointed by the county board of
27 commissioners, 2 ~~shall~~**must** be appointed for a term ending 1 year
28 from the following January 1, 2 for a term ending 2 years from the
29 following January 1, and 3 for a term ending 3 years from the

1 following January 1. The first member appointed by a qualifying
2 county under subsection (2) (e) ~~shall~~**must** be appointed for a term
3 ending 2 years from the following January 1. From then on, each
4 appointed member ~~shall~~**must** be appointed for a term of 3 years and
5 until ~~his or her~~**the member's** successor is appointed and qualified.
6 Each term ~~shall~~**must** expire at noon on January 1. A vacancy ~~shall~~
7 **must** be filled by the county board of commissioners for the
8 unexpired term.

9 (4) The county parks and recreation commission is an agency of
10 the county. The county board of commissioners may make rules and
11 regulations with respect to the county parks and recreation
12 commission as the **county** board of commissioners considers
13 advisable. The members of the county parks and recreation
14 commission are not full-time officers. The county board of
15 commissioners shall fix the compensation of the members.