

# SENATE BILL NO. 272

April 30, 2025, Introduced by Senators HAUCK and HUIZENGA and referred to Committee on Housing and Human Services.

A bill to amend 1978 PA 59, entitled  
"Condominium act,"  
by amending section 67 (MCL 559.167), as amended by 2016 PA 233.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 67. (1) A change in a condominium project ~~shall~~**must** be  
2 reflected in an amendment to the appropriate condominium document.  
3 An amendment to the condominium document is subject to sections 90,  
4 90a, and 91.

5           (2) If a change involves a change in the boundaries of a  
6 condominium unit or the addition or elimination of condominium  
7 units, a replat of the condominium subdivision plan ~~shall~~**must** be

1 prepared and recorded assigning a condominium unit number to each  
 2 condominium unit in the amended project. The replat of the  
 3 condominium subdivision plan ~~shall~~**must** be designated replat number  
 4 \_\_\_\_\_ of \_\_\_\_\_ county condominium subdivision plan number  
 5 \_\_\_\_\_, using the same plan number assigned to the original  
 6 condominium subdivision plan.

7 (3) Notwithstanding section 33, for 10 years after the  
 8 recording of the master deed, the developer, its successors, or  
 9 assigns may withdraw from the project any undeveloped land or  
 10 convert the undeveloped condominium units located ~~thereon~~**on the**  
 11 **underdeveloped land** to "must be built" without the prior consent of  
 12 any co-owners, mortgagees of condominium units in the project, or  
 13 any other party having an interest in the project. If the master  
 14 deed confers on the developer expansion, contraction, or  
 15 convertibility rights with respect to condominium units or common  
 16 elements in the condominium project, then the time period is 10  
 17 years after the recording of the master deed or 6 years after the  
 18 recording of the amendment to the master deed by which the  
 19 developer last exercised its expansion, contraction, or  
 20 convertibility rights, whichever period ends later. Any undeveloped  
 21 land ~~so that is~~ withdrawn **in accordance with this subsection** is  
 22 automatically granted easements for utility and access purposes  
 23 through the condominium project for the benefit of the undeveloped  
 24 land.

25 (4) If the developer does not withdraw **the** undeveloped land  
 26 from the project or convert **the** undeveloped condominium units to  
 27 "must be built" before **the** expiration of the ~~applicable~~-time period  
 28 **described** under subsection (3), the association of co-owners, by an  
 29 affirmative 2/3 majority vote of the members in good standing, may

1 declare that the undeveloped land ~~shall~~**must** remain part of the  
 2 project but ~~shall~~**must** revert to general common elements and that  
 3 all rights to construct condominium units ~~upon~~**on** that undeveloped  
 4 land ~~shall~~**must** cease. When ~~such~~**a** declaration **described under this**  
 5 **subsection** is made, the association of co-owners shall provide  
 6 written notice of the declaration to the developer or any successor  
 7 developer by first-class mail at ~~its~~**the developer's or any**  
 8 **successor developer's** last known address. Within 60 days after  
 9 receipt of the **written notice of the declaration**, the developer or  
 10 any successor developer may withdraw the undeveloped land or  
 11 convert the undeveloped condominium units to "must be built".  
 12 However, if the undeveloped land is not withdrawn or the  
 13 undeveloped condominium units are not converted within 60 days, the  
 14 association of co-owners may file the notice of the declaration  
 15 with the register of deeds. The **notice of declaration filed with**  
 16 **the registrar of deeds** takes effect upon recording by the register  
 17 of deeds. The association of co-owners shall ~~also~~ file notice of  
 18 the declaration with the local supervisor or assessing officer. ~~In~~  
 19 ~~such an event, if it~~**If an association of co-owners files a notice**  
 20 **of declaration with the local supervisor or assessing officer and**  
 21 **it** becomes necessary to adjust percentages of value as a result of  
 22 fewer condominium units existing, a co-owner or the association of  
 23 co-owners may bring an action to require revisions to the  
 24 percentages of value under section 95.

25 (5) A reversion under subsection (4), whether occurring before  
 26 or after ~~the date of the~~**September 21, 2016, amendatory act that**  
 27 ~~added this subsection,~~ is not effective unless the election,  
 28 notice, and recording requirements of subsection (4) have been met.

29 (6) Subsections (3) and (4) do not apply to condominium units

1 **that are** no longer owned by the developer or ~~by~~ the owner of the  
2 property at the time the property became part of the condominium  
3 project, unless the purchaser from the developer or owner of the  
4 property at the time the property became part of the condominium  
5 project is a successor developer under section 135.

6 (7) As used in this section, "undeveloped land" means land on  
7 which were recorded 1 or more condominium units, none of which were  
8 either identified in the condominium subdivision plan as "must be  
9 built" or have had construction commenced, although infrastructure  
10 construction or common element construction may have commenced.  
11 Undeveloped land does not include condominium units that are  
12 depicted or described **before or after September 21, 2016**, on the  
13 condominium subdivision plan ~~pursuant to~~ **under** section 66 as  
14 containing no vertical improvements, **regardless of the date of the**  
15 **creation of the condominium project or of that condominium**  
16 **subdivision plan.**