

REPRINT

**SUBSTITUTE FOR  
SENATE BILL NO. 130**

(As Passed the Senate December 3, 1998)

A bill to amend 1967 PA 288, entitled  
"Land division act,"  
by amending sections 117, 169, and 241 (MCL 560.117, 560.169, and  
560.241), section 117 as amended by 1995 PA 172 and sections 169  
and 241 as amended by 1993 PA 67.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 117. (1) The proprietor shall submit 2 copies of the  
2 preliminary plat to the department of ~~natural resources~~  
3 ENVIRONMENTAL QUALITY, if any of the subdivision lies wholly or  
4 in part within the floodplain of a river, stream, creek, or  
5 lake. The department of ~~natural resources~~ ENVIRONMENTAL  
6 QUALITY, within 30 days of receipt of the preliminary plat, shall  
7 approve it and note its approval on the copy to be returned to  
8 the proprietor, or reject it. If ~~rejected~~ THE DEPARTMENT OF  
9 ENVIRONMENTAL QUALITY REJECTS THE PRELIMINARY PLAT, THE

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1 DEPARTMENT SHALL GIVE the reasons for rejection and requirements  
2 for approval ~~shall be given~~ in writing to the proprietor. The  
3 determination of a floodplain area shall be based on rules speci-  
4 fied in section 105(f).

5 (2) ~~Until October 1, 1999, the~~ THE preliminary plat sub-  
6 mittal to the department of ~~natural resources~~ ENVIRONMENTAL  
7 QUALITY under subsection (1) shall be accompanied by a fee of  
8 \$500.00 to cover the administrative cost of the department's pre-  
9 liminary plat review. If the department of ~~natural resources~~  
10 ENVIRONMENTAL QUALITY determines that engineering computations  
11 are required to establish the limits of the floodplain on a pre-  
12 liminary plat, the department shall assess an additional fee of  
13 \$1,500.00 to cover the department's cost of establishing those  
14 limits.

15 (3) The department of ~~natural resources~~ ENVIRONMENTAL  
16 QUALITY shall forward fees collected under this section to the  
17 state treasurer for deposit in the land and water management  
18 permit fee fund created in section 30113 of the natural resources  
19 and environmental protection act, ~~Act No. 451 of the Public Acts~~  
20 ~~of 1994, being section 324.30113 of the Michigan Compiled Laws~~  
21 1994 PA 451, MCL 324.30113.

22 Sec. 169. ~~Beginning October 1, 1998, upon~~ UPON approval  
23 of the plat by a majority of the county plat board, the clerk of  
24 the board shall ~~secure a warrant from the county treasurer for~~  
25 ~~1/2 the filing and recording fee required by section 241 and~~  
26 forward it with all copies of the plat to the state  
27 administrator.

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1       Sec. 241. (1) ~~Beginning October 1, 1998, when~~ WHEN a  
2 final plat is submitted to the clerk of the governing body of the  
3 municipality, the proprietor shall deposit with the plat ~~a~~ BOTH  
4 OF THE FOLLOWING:

5       (A) A filing and recording fee of \$20.00. The filing and  
6 recording fee is in addition to any fee the municipality may  
7 charge under this act.

8       (B) A STATE PLAT REVIEW FEE OF \$150.00, PLUS \$15.00 FOR EACH  
9 LOT OVER 4 LOTS INCLUDED IN THE PLAT. THE STATE PLAT REVIEW FEE  
10 SHALL BE PAID BY CHECK OR MONEY ORDER PAYABLE TO THE STATE OF  
11 MICHIGAN.

12       (2) Upon approval of the plat by the governing body, the  
13 clerk shall send the ~~-\$20.00~~ FILING AND RECORDING FEE AND THE  
14 STATE PLAT REVIEW fee with the plat to the clerk of the county  
15 plat board.

16       (3) The clerk of the county plat board shall deposit the  
17 FILING AND RECORDING fee in the county trust and agency fund for  
18 subsequent ~~payments~~ PAYMENT by county warrant from this fund to  
19 ~~both of the following: (a) This state, in the amount of \$10.00,~~  
20 ~~upon the approval of the plat by the county plat board. (b) The~~  
21 THE county register of deeds in the amount of ~~-\$10.00~~ \$20.00,  
22 upon submission of proof to the clerk of the county plat board  
23 that the plat has been ~~duly~~ recorded in the office of the  
24 county register of deeds.

25       (4) ~~The state administrator shall pay the state's portion~~  
26 ~~of the fee to the state treasurer, who shall deposit it in the~~  
27 ~~state general fund.~~ IF A FINAL PLAT IS FORWARDED TO THE STATE

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1 ADMINISTRATOR, THE CLERK OF THE COUNTY PLAT BOARD SHALL FORWARD  
2 THE STATE PLAT REVIEW FEE WITH THE PLAT.

3       (5) ~~The state administrator may also charge an additional~~  
4 ~~\$10.00 fee if he or she is of the opinion that the review time is~~  
5 ~~extraordinary.~~ A STATE PLAT REVIEW FEE COLLECTED BY THIS STATE  
6 SHALL BE DEPOSITED IN THE STATE TREASURY FOR USE IN THE ADMINIS-  
7 TRATION OF THIS ACT. A FUND IN WHICH STATE PLAT REVIEW FEES  
8 SHALL BE DEPOSITED IS CREATED IN THE STATE TREASURY. THIS FUND  
9 IS A REVOLVING FUND, AND MONEY REMAINING IN THE FUND AT THE END  
10 OF THE FISCAL YEAR SHALL BE CARRIED OVER IN THE FUND TO THE NEXT  
11 AND SUCCEEDING FISCAL YEARS FOR USE IN THE ADMINISTRATION OF THIS  
12 ACT.