

Senate Fiscal Agency
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SFA

BILL ANALYSIS

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Senate Bill 920 (Substitute S-1 as passed by the Senate)
Sponsor: Senator Philip E. Hoffman
Committee: Local, Urban and State Affairs

Date Completed: 3-20-02

RATIONALE

There is a vacant and unused parcel of property under the jurisdiction of the Department of Corrections and adjacent to a parcel previously conveyed to Coldwater Township, in Branch County. Since the Department of Corrections has declared the vacant property as surplus, it has been suggested that provisions be made to convey it to Coldwater Township, which would like to use the property to expand an existing field for public recreational purposes.

CONTENT

The bill would authorize the State Administrative Board, on behalf of the State, to convey for \$1 to Coldwater Township, a parcel of approximately 3.87 acres under the jurisdiction of the Department of Corrections and located in Branch County, as described in the bill, to be used for public recreational purposes.

The conveyance would have to require the property to be used exclusively for public recreational 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 an action to quiet title to, and regain possession of, the property.

The conveyance also would have to provide that Coldwater Township would be responsible for fencing or otherwise securing any exposed wellheads that existed on the property.

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

BACKGROUND

After the Coldwater Regional Mental Health Center, in Branch County, closed in 1992, a number of public agencies expressed an interest in acquiring portions of the property for various public uses. Public Act 265 of 1993 authorized a conveyance of about 17.53 acres of this land to Coldwater Township (as well as conveyances to Branch Intermediate School District and Branch County). Public Act 265 also authorized the State Administrative Board to transfer the remainder of the property from the Department of Mental Health to the Department of Corrections.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Since the Department of Corrections has declared the parcel of property as surplus, it would be reasonable and practical to convey the property to Coldwater Township. The township could make good use of the property for public recreational purposes, such as soccer matches and other field games.

Legislative Analyst: Nobuko Nagata

FISCAL IMPACT

The bill potentially would have little fiscal impact on State government, while providing additional property for a local unit of government.

The property to be conveyed to Coldwater Township of approximately 3.9 acres, is vacant and unused land under the jurisdiction of the Department of Corrections and is adjacent to a parcel previously conveyed to the township. There is no information currently available on the appraised value of the land, nor is there information on whether there exists other private sector interest in the land.

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.