



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bills 1188 (Substitute S-1 as reported by the Committee of the Whole)
Senate Bills 1189 through 1192 (as reported without amendment)
Sponsor: Senator Tom Casperson (S.B. 1188 and 1194)
Senator Wayne Schmidt (S.B. 1189)
Senator Jack Brandenburg (S.B. 1190)
Senator Dave Hildenbrand (S.B. 1191)
Senator Darwin L. Booher (S.B. 1192)
Senator Geoff Hansen (S.B. 1193)

Committee: Natural Resources

CONTENT

Senate Bill 1188 (S-1) would enact the "Vegetation Removal Preemption Act" to do the following:

- Prohibit a local unit of government from adopting, maintaining, or enforcing an ordinance, charter provision, or regulation, on or after the Act's effective date, that restricted, or require mitigation for, the trimming or removal of any vegetation other than a heritage tree, located on certain private property.
- Specify that an ordinance, charter provision, or regulation that did any of the above would be void.
- Specify that the Act would not prohibit a local unit of government from adopting or enforcing certain ordinances that complied with the Act, such as an ordinance that required private property to be maintained in a healthy, neat, and orderly appearance.

Senate Bills 1189, 1190, 1191, 1192, 1193, and 1194 would amend the General Law Village Act, the Home Rule Village Act, the Charter Township Act, the Michigan Zoning Enabling Act, Chapter 16 of the Revised Statutes of 1846 (which governs townships), and the Home Rule City Act, respectively, to specify that each of those Acts would be subject to the Vegetation Removal Preemption Act proposed by Senate Bill 1188.

Senate Bills 1889 through 1194 are tie-barred to Senate Bill 1188.

MCL 61.1d et al. (S.B. 1189)
MCL 78.26 (S.B. 1190)
MCL 42.1b (S.B. 1191)
Proposed MCL 125.3205b (S.B. 1192)
MCL 41.3a (S.B. 1193)
MCL 117.5 (S.B. 1194)

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bills would have no impact on the State and an indeterminate, though likely small, fiscal impact on local units of government. They would preclude a local unit from generating revenue from fees or fines related to the trimming, felling, or removal of vegetation specified in the bills, although local units would not be required to refund any fee, fine, or cost received before the enactment date of the bills.

Date Completed: 12-3-18

Fiscal Analyst: Ryan Bergan

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Bill Analysis @ www.senate.michigan.gov/sfa

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.