

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2022**

Introduced by Senator Victory

ENROLLED SENATE BILL No. 39

AN ACT to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies,” by amending section 21 (MCL 224.21), as amended by 1996 PA 23.

The People of the State of Michigan enact:

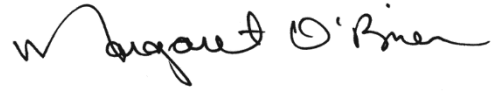
Sec. 21. (1) A board of county road commissioners shall not contract indebtedness for an amount in excess of the money credited to the board and received by the county treasurer. However, the board may incur liability to complete roads under construction and upon contracts, after a tax is voted, to an amount not exceeding 3/4 of the tax.

(2) Subject to sections 81131 and 82124 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81131 and 324.82124, a county road commission or, if there is no county road commission for the county, a county shall keep in reasonable repair, so that they are reasonably safe and convenient for public travel, all highways that are within the county road commission’s or county’s jurisdiction, are under its care and control, and are open to public travel.

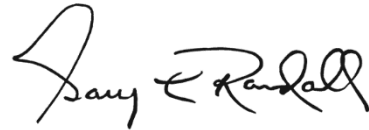
(3) The liability of a county road commission or a county for failure to comply with subsection (2) and the procedure and remedies in an action against the county road commission or county are as provided in 1964 PA 170, MCL 691.1401 to 691.1419.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 43 of the 101st Legislature is enacted into law.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor