

**SUBSTITUTE FOR  
SENATE BILL NO. 23**

A bill to amend 1967 PA 288, entitled  
"Land division act,"  
by amending section 108 (MCL 560.108), as added by 1996 PA 591.

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

1           Sec. 108. (1) A division is not subject to the platting  
2 requirements of this act.

3           (2) Subject to subsection (3), the division, together with any  
4 previous divisions of the same parent parcel or parent tract, shall  
5 result in a number of parcels not more than the sum of the  
6 following, as applicable:

7           (a) For the first 10 acres or fraction thereof in the parent  
8 parcel or parent tract, ~~4~~**10** parcels.

9           (b) For each whole 10 acres in excess of the first 10 acres in



1 the parent parcel or parent tract, 1 additional parcel, for up to a  
2 maximum of 11 additional parcels.

3 (c) For each whole 40 acres in excess of the first 120 acres  
4 in the parent parcel or parent tract, 1 additional parcel.

5 (3) For a parent parcel or parent tract of not less than 20  
6 acres, the division may result in a total of 2 parcels in addition  
7 to those permitted by subsection (2) if 1 or both of the following  
8 apply:

9 (a) Because of the establishment of 1 or more new roads, no  
10 new driveway accesses to an existing public road for any of the  
11 resulting parcels under subsection (2) or this subsection are  
12 created or required.

13 (b) One of the resulting parcels under subsection (2) and this  
14 subsection comprises not less than 60% of the area of the parent  
15 parcel or parent tract.

16 (4) A parcel of 40 acres or more created by the division of a  
17 parent parcel or parent tract shall not be counted toward the  
18 number of parcels permitted under subsections (2) and (3) and is  
19 not subject to section 109, if the parcel is accessible.

20 (5) A parcel or tract created by an exempt split or a division  
21 is not a new parent parcel or parent tract and may be further  
22 partitioned or split without being subject to the platting  
23 requirements of this act if all of the following requirements are  
24 met:

25 (a) Not less than 10 years have elapsed since the parcel or  
26 tract was recorded.

27 (b) The partitioning or splitting results in not more than the  
28 following number of parcels, whichever is less:

29 (i) Two parcels for the first 10 acres or fraction thereof in



1 the parcel or tract plus 1 additional parcel for each whole 10  
2 acres in excess of the first 10 acres in the parcel or tract.

3 (ii) Seven parcels or 10 parcels if one of the resulting  
4 parcels under this subsection comprises not less than 60% of the  
5 area of the parcel or tract being partitioned or split.

6 (c) The partitioning or splitting satisfies the requirements  
7 of section 109.

8 (6) **A parcel or tract may be partitioned or split at any time**  
9 **into a greater number of parcels or tracts than otherwise**  
10 **authorized by this section if the partitioning or splitting is**  
11 **authorized by and complies with standards set forth in an ordinance**  
12 **of the municipality or county having authority to approve or**  
13 **disapprove the division under section 109(1).**

14 (7) ~~(6)~~—A parcel or tract created under the provisions of  
15 subsection (5) **or of an ordinance described in subsection (6)** may  
16 not be further partitioned or split without being subject to the  
17 platting requirements of this act, except in accordance with the  
18 provisions of subsection (5) **or of an ordinance described in**  
19 **subsection (6).**

20 Enacting section 1. This amendatory act takes effect 1 year  
21 after it is enacted into law.