

SENATE BILL No. 52

February 6, 1991, Introduced by Senators DILLINGHAM and STABENOW and referred to the Committee on State Affairs and Military/Veteran Affairs.

A bill to amend section 2 of Act No. 40 of the Public Acts of 1965, entitled

"An act to authorize and require public agencies to pay allowances for the expense of moving personal property from real property acquired for public purposes,"

being section 213.352 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 40 of the Public Acts of
2 1965, being section 213.352 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 2. (1) An occupant who vacates real property on or
5 after May 15, 1965, pursuant to the provisions of a written
6 agreement to purchase the property or pursuant to the provisions
7 of a written agreement for possession and use of the property or
8 pursuant to the transfer of title to the property in condemnation
9 proceedings, shall be reimbursed by the public agency for the

1 reasonable and necessary moving expense for moving his OR HER
2 personal property not more than 50 miles, subject to the follow-
3 ing conditions:

4 (a) The maximum payment to an individual or family shall not
5 exceed ~~-\$200.00-~~ \$1,000.00. The maximum payment to a business,
6 including the operation of a farm, or a nonprofit organization
7 shall not exceed ~~-\$3,000.00-~~ \$15,000.00.

8 (b) An individual or a family may elect to receive a fixed
9 moving allowance, in lieu of actual moving expense, based on a
10 schedule of payments established by the acquiring agency taking
11 into consideration the maximum payment allowed, the number of
12 rooms and other factors.

13 (c) No payment shall be made to an occupant until after ~~he-~~
14 THE OCCUPANT has vacated the real property.

15 (2) THE MAXIMUM PAYMENT AMOUNTS IN SUBSECTION (1)(A) SHALL
16 BE ADJUSTED ANNUALLY ON JANUARY 1 OF EACH YEAR BEGINNING IN 1993
17 ACCORDING TO THE INCREASE OR DECREASE IN THE DETROIT CONSUMER
18 PRICE INDEX, AS ESTABLISHED BY THE FEDERAL GOVERNMENT, FOR THE
19 12-MONTH PERIOD ENDING 6 MONTHS BEFORE THE PRECEDING CALENDAR
20 YEAR ENDS.