



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4301 (Substitute S-3 as reported by the Committee of the Whole)
Sponsor: Representative Carl F. Gnodtke
House Committee: Agriculture and Forestry
Senate Committee: Agriculture and Forestry

CONTENT

The bill would amend the Seller Disclosure Act to require a written disclosure statement about property to identify a farm or farm operation in the vicinity of the property.

The Act specifies that its seller disclosure requirements apply to the transfer of any interest in real estate consisting of at least one and not more than four residential dwelling units, whether by sale, exchange, installment land contract, lease with an option to purchase, any other option to purchase, or ground lease coupled with proposed improvements by the purchaser or tenant, or a transfer of stock or an interest in a residential cooperative. The transferor of any real property must deliver to the transferor's agent or to the prospective transferee or the transferee's agent a written disclosure statement required by the Act. Currently, a disclosure statement must note any area environmental concerns, such as proximity to a landfill, airport, or shooting ranges. The bill would delete reference to area environmental concerns and specify, instead, farm or farm operations in the vicinity.

The bill would take effect January 1, 1996. The bill is tie-barred to House Bill 4299 and House Bill 4300. House Bill 4299 (S-2) would amend the Land Sales Act to require the owner of subdivided land that was being offered for sale to include in a proposed property report submitted to prospective buyers information about the property's location in the vicinity of a farm or farm operation. House Bill 4300 (S-5) would amend the Michigan Right to Farm Act to specify that a farm that conformed to generally accepted agricultural and management practices would not be a public or private nuisance under certain circumstances, and to require the Director of the Department of Agriculture to investigate complaints involving a farm.

MCL 565.95

Legislative Analyst: L. Arasim

FISCAL IMPACT

There would be no fiscal impact on local governmental units. Preparation and duplication costs for the Seller's Disclosure Statement would be absorbed within the total appropriation of the Department of Commerce. No additional staff or budget resources would be needed to implement provisions of this bill.

Date Completed: 6-1-95

Fiscal Analyst: K. Lindquist

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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.