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Senate Bill 1464 (as introduced 8-19-10)  
Sponsor: Senator Mike Nofs  
Committee: Local, Urban and State Affairs

Date Completed: 9-20-10

### **CONTENT**

**The bill would amend Public Act 359 of 1941 (which governs the control of noxious weeds) to include giant hogweed among the weeds that may be considered noxious, and refer to plants regarded as a nuisance by a township.**

Currently, "noxious weeds" include Canada thistle, dodders, mustards, wild carrot, bindweed, perennial sowthistle, hoary alyssum, ragweed, poison ivy, poison sumac, and any other plant that the governing body of any county, city, or village regulated under the Act regards as a common nuisance.

The bill would add giant hogweed (*Heracleum Mantegazzianum*), and any other plant that the governing body of a township regarded as a common nuisance.

MCL 247.62

### **BACKGROUND**

Public Act 349 of 1941 requires the owner of land on which noxious weeds are found growing to destroy them before they reach a seed-bearing stage and prevent their regrowth, or prevent them from becoming a detriment to public health. The city, village, or township commissioner of noxious weeds must notify the owner, agent, or occupant of land on which noxious weeds are found growing. If he or she refuses to destroy the weeds, the commissioner must do so. The land owner must pay the expenses incurred in the destruction, and the local unit of government has a lien against the land for the amount of the expense.

A village or city, or a township may provide by ordinance that if the owner, agent, or occupant of subdivided land in a subdivision in which buildings have been erected on 60% of the lots, or the owner, agent, or occupant of a lot along an improved street in common use, has failed to destroy the weeds after 10 days' notice, then an authorized agent of the local unit's governing body may enter the lot and destroy them by cutting. The lot owner must pay the expenses incurred in the destruction, and the local unit has a lien upon the lot for the amount of the expense.

Previously, the only townships covered by Public Act 359 of 1941 were those with a population of more than 5,000. Public Act 118 of 2010 removed that population requirement.

Legislative Analyst: Julie Cassidy

## **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: David Zin

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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.