



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 46 (Substitute S-8 as reported by the Committee of the Whole)

Sponsor: Senator Arlan Meekhof

Committee: Agriculture

CONTENT

The bill would amend the Michigan Zoning Enabling Act to do the following regarding a biofuel production facility:

- Provide that a facility with a maximum annual production capacity of 100,000 gallons would be a permitted use of property and would not be subject to special land use approval if were on a farm, met other location requirements, and met criteria regarding the farm's production of feedstock and use of the biofuel or byproducts.
- Provide that a facility with a capacity of up to 500,000 gallons would be a permitted use if it met the location requirements and received special land use approval.
- Prescribe special land use approval application requirements, require a public hearing, and prescribe conditions of approval.
- Provide that the bill's requirements would not apply if a facility were subject to different special land use approval criteria under a zoning ordinance.
- Permit a local unit to authorize a facility as a permitted use not subject to special land use approval.

The bill would define "biofuel" as any renewable fuel product, whether solid, liquid, or gas, that is derived from recently living organisms or their metabolic byproducts and meets applicable quality standards, including ethanol and biodiesel. Biodiesel would not include methane or any other fuel product from an anaerobic digester.

Proposed MCL 125.3513

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

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

Date Completed: 3-31-11

Fiscal Analyst: David Zin