



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 955 (as introduced 5-5-16)
Sponsor: Senator Tom Casperson
Committee: Transportation

Date Completed: 5-25-16

CONTENT

The bill would amend the Michigan Zoning Enabling Act to require public school property used for a public school purpose to be considered unzoned property and exempt from a zoning ordinance.

The Act provides for the regulation of the development and use of land by local units of government; the adoption of zoning ordinances; and the establishment of zoning districts in counties, townships, cities, and villages, among other things.

Under the bill, public school property used for a public school purpose would have to be considered unzoned property and would be exempt from a zoning ordinance adopted under the Act. This provision would not exempt the property from applicable review for informational purposes under Section 1263 of the Revised School Code.

(Section 1263 of the Code provides for the conditions under which the board of a school district may build, design, or expand a school, including review and approval of the plans to build, expand, or remodel a school by the Superintendent of Public Instruction. The section requires the board to submit plans to the local zoning authority for concurrence with the site plan, and details the maximum fees a local zoning authority may impose upon a governing board for the zoning process described in the section. Section 1265 states that the required communication between a governing board and the local zoning authority is for informational purposes only and does not require the governing board to make any changes in its site plan.)

The bill would define "public school property" as property owned or leased by either or both of the following:

- The governing board of a public school.
- A foundation owned or managed by the governing board of a public school.

"Public school purpose" would mean a purpose that provides a benefit, including a commercial or financial benefit, to a public school, the governing board of a public school, or a foundation owned or managed by the governing board of a public school.

The bill would take effect 90 days after its enactment.

Proposed MCL 125.3205c

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no impact on the State and could result in additional revenue to school districts. Districts could raise additional revenue by advertising in the event that a local ordinance restricted such activities and schools would be unrestricted by local zoning. Due to the differences between schools and local zoning ordinances as well as different potential for advertising revenue across the State, it is impossible to estimate a total amount that could be raised by local schools.

Fiscal Analyst: Cory Savino

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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.