



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 342 (Substitute S-1 as reported)  
Sponsor: Senator John Proos  
Committee: Local Government

### **CONTENT**

The bill would amend the Land Division Act to revise statements that must be on a form that a proprietor transferring the right to make a division submits to the assessor of the city or township where the property is located, and on a deed for the sale of a parcel of unplatted land.

Specifically, under Section 109 of the Act, a proprietor transferring the right to make a division, within 45 days, must give written notice of the transfer to the assessor of the city or township where the property is located on a form prescribed by the State Tax Commission. The form must substantially include certain questions in the mandatory information portion of the form. One question reads: "Were any unallocated divisions transferred to the newly created parcel? If so, how many?" The bill would amend the question to the following: "Were any unallocated divisions transferred to the newly created parcel? If so, state whether all were transferred or, if not, how many?"

Under Section 109, a person may not sell a parcel of unplatted land unless the deed contains a statement as to whether the right to make further divisions exempt from the platting requirements of the Act is proposed to be conveyed. The statement must be in substantially the following form: "The grantor grants to the grantee the right to make [insert number] division(s) under section 108 of the land division act...". The bill would change the statement to the following: "The grantor grants to the grantee the right to make [insert "zero", a number, or "all"] division(s) under section 108 of the land division act...".

In addition, the bill specifies that compliance with Section 109 would not be a requirement for a deed to be received for record or recorded by a register of deeds.

MCL 560.109

Legislative Analyst: Drew Krogulecki

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government. The bill would clarify procedures related to the transfer of unplatted land and indicate that the absence of certain statements on the deed would not prevent it from being recorded.

Date Completed: 5-24-17

Fiscal Analyst: Elizabeth Pratt