



Senate Fiscal Agency
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House Bill 5126 (as reported without amendment)
Sponsor: Representative Steven Johnson
House Committee: Local Government and Municipal Finance
 Ways and Means
Senate Committee: Local Government

CONTENT

The bill would amend the Drain Code to do the following:

- Allow a petition to add or remove land from a drainage district to be signed by any five freeholders or at least 50% of the freeholders if there were fewer than five freeholders whose lands would be liable for an assessment for benefits from a drain, or by a municipality if authorized by its governing body.
- Allow a petition to add or remove land from a drainage district to be combined with other specified petitions allowed under the Code.
- Remove a requirement that copies of an order adding lands to a drainage district be served upon all entities whose lands were added to drainage district.
- Require a drain commissioner to advertise for the receipt of bids for the construction of a drain at a specific time, date, and location, and require the commissioner to make the notice available on the commissioner's or county's website.
- Require a drain commissioner to publish a notice of a public meeting to review the apportionment of benefits in a newspaper circulated within the county at least 10 days before the date of the meeting.
- Require a notice to be personally served on the county clerk and a member of the board of county read commissioners of the county and on the supervisor of each townships and clerk of each city or village to be assessed at large.
- Modify the information that would have to be included in a notice.
- Prescribe the information that the drain commissioner would have to make available on the internet.
- Allow a drain commissioner to make necessary adjustments to the estimated apportionment percentage, estimated annual project assessment, or the estimated project assessment duration without further notice.
- Require the drain commissioner to correct the computation of the total cost of a drain if contracts on which the computation was based were not executed and new contracts were let at a higher price.

MCL 280.135 & 280.154

Legislative Analyst: Dana Adams

FISCAL IMPACT

The bill would have a minimal fiscal impact on State or local government.

Date Completed: 12-16-20

Fiscal Analyst: Bruce Baker