



**Senate Fiscal Agency**  
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BILL ANALYSIS



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House Bill 4300 (Substitute S-5 as reported by the Committee of the Whole)  
Sponsor: Representative Carl F. Gnodtke  
House Committee: Agriculture and Forestry  
Senate Committee: Agriculture and Forestry

### **CONTENT**

The bill would amend the Michigan Right to Farm Act to do the following:

- Specify that a farm or farm operation that conformed to generally accepted agricultural and management practices would not be a public or private nuisance under certain conditions, including a change in ownership or size.
- Require the Director of the Michigan Department of Agriculture to investigate complaints involving a farm and require that procedures be developed to investigate and resolve farm-related complaints.
- Require a complainant to be notified in writing if the person responsible for the farm were using generally accepted agricultural and management practices.
- Require the Director to advise a person responsible for a farm that changes would have to be made to resolve a problem, if it were caused by the use of practices not considered to be generally accepted agricultural and management practices.
- Specify that a complainant who brought more than three "uncertified complaints" within three years against the same farm that had been determined to be using accepted practices, could be ordered by the Director to pay the Department the costs for subsequent complaints against the same farm.
- Permit a seller of property located within one mile of the property boundary of a farm or farm operation to make available voluntarily to the buyer a statement about the property's location and a farm's use of generally accepted agricultural and management practices.

The bill would take effect September 30, 1995. The bill is tie-barred to House Bill 4299 and House Bill 4301. House Bill 4299 (S-2) would amend the Land Sales Act to require the owner of subdivided land to include a statement in a proposed property report about the land's proximity to a farm or farm operation. House Bill 4301 (S-3) would amend the Seller Disclosure Act to require a written disclosure statement about property to identify a farm or farm operation in the vicinity of the property.

MCL 286.472 et al.

Legislative Analyst: L. Arasim

### **FISCAL IMPACT**

The bill could result in some minimal cost savings to the Department of Agriculture for about one or two cases per year in which the complainant had issued more than three complaints.

Date Completed: 5-30-95

Fiscal Analyst: A. Rich

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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.