



**House
Legislative
Analysis
Section**

House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

**PUBLIC SCHOOLS SUBJECT
TO LOCAL ZONING**

House Bill 5187

Sponsor: Rep. John Pappageorge

Committee: Land Use and Environment

Complete to 2-21-01

A SUMMARY OF HOUSE BILL 5187 AS INTRODUCED 10-11-01

The bill would amend the Revised School Code to specify that beginning with public schools built or occupied after the effective date of the bill, the construction or location of a public school would be subject to all local zoning laws generally applicable in the jurisdiction where the public school would be located. The board of the local or intermediate school district or the board of directors of a public school academy (charter school) that was to operate the school would have to ensure that the location and siting of the public school complied with local zoning laws.

The bill would also require that at least 30 days before beginning construction of a public school, or before occupying an existing building for public school purposes, the board of the district or public school academy would have to notify all residents within 1,500 feet of the site of the intent to construct a building or occupy the building for school purposes. The notification would have to include a copy of the site plan.

The bill would delete the current provision in the Revised School Code that states:

The superintendent of public instruction has sole and exclusive jurisdiction over the review and approval of plans and specifications for the construction, reconstruction, or remodeling of school buildings used for instructional or noninstructional school purposes and of site plans for those buildings.

The act currently requires the board of a school district to comply with Public Act 306 of 1937, which deals with the construction of school buildings. The bill would impose the same requirement on the board of directors of a public school academy.

MCL 380.1263

Analyst: C. Couch

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House Bill 5187 (2-21-02)