

Legislative Analysis



TREE OWNER LIABILITY ACT

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4915 as introduced

Sponsor: Rep. Ryan Berman

Committee: Local Government and Municipal Finance

Complete to 10-8-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4915 would create a new act, the Tree Owner Liability Act, which would hold tree owners liable for damage to their neighbor's property caused by falling trees.

Under the bill, the owner of property on which a tree is located would be liable to the owner or occupier of adjacent property for *damage* proximately caused by any part of the tree falling on that adjacent property, regardless of whether the tree falling was an act of God.

Damage would include damage to real property (including structures and fixtures on the property); damage to personal property; and the cost of removing debris from, cleaning, and repairing property.

The act would not limit or affect any other remedy available under state law.

FISCAL IMPACT:

House Bill 4915 would have an indeterminate fiscal impact on local court funding units that would depend on how provisions of the bill affected court caseloads and related administrative costs.

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