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Senate Bill 322 (as introduced 5-16-19)  
Senate Bill 323 (as introduced 5-16-19)  
Sponsor: Senator Roger Victory  
Committee: Local Government

Date Completed: 5-22-19

### **CONTENT**

**Senate Bill 322 would amend Public Act 156 of 1851, which governs county boards of commissioners, to extend the sunset, from December 31, 2019, to December 31, 2024, for a county board of commissioners to pass a resolution dissolving an appointed board of county road commissioners and transferring its duties to the county board of commissioners, or referring to the voters the question of dissolving and transferring the duties of an elected board of county road commissioners.**

**Senate Bill 323 would amend the county road law, to postpone the deadline, from December 31, 2020, to December 31, 2024, for the duties of a board of county road commissioners to be transferred to a county board of commissioners.**

The bills are tie-barred.

### **Senate Bill 322**

Public Act 156 of 1851 authorizes an appointed county board of commissioners, at a lawfully held meeting, before January 1, 2020, to pass a resolution transferring the powers, duties, and functions of the county road commissioners to the county board of commissioners and dissolving the board of county road commissioners. The bill would extend the sunset from January 1, 2020, to January 1, 2025.

In addition, the Act authorizes an elected board of county road commissioners, before January 1, 2020, to pass a resolution submitting to the county's electors the question of transferring the powers, duties, and functions of the elected board of county road commissioners to the county board of commissioners and dissolving the board of county road commissioners. The bill would extend the sunset from January 1, 2020, to January 1, 2025.

In either case, before passing the resolution, the county must hold at least two public hearings.

Under both scenarios described above, if the board of county road commissioners is dissolved and its powers, duties, and functions are transferred to the county board of commissioners, the county board of commissioners is authorized to receive and spend funds as allowed under the Michigan Transportation Fund law. Also, under both provisions, if the powers and duties of the county drain commissioner had previously been transferred to the board of county road commissioners, as provided in the Drain Code, then the county board of commissioners must reestablish, by resolution, the office of county drain commissioner as an elected office and

appoint an acting county drain commissioner who will hold office until the next general election.

### **Senate Bill 323**

Public Act 283 of 1909 authorizes the powers, duties, and functions otherwise provided by law for an appointed or elected board of county road commissioners to be transferred to the county board of commissioners, before January 1, 2020, by a resolution described under Public Act 156 of 1851. The bill would extend the sunset from January 1, 2020 to January 1, 2025.

MCL 46.11 (S.B. 322)  
224.6 (S.B. 323)

Legislative Analyst: Nathan Leaman

### **FISCAL IMPACT**

The bills would not have a direct fiscal impact on the State or local units of government. The bills would extend current authorization for county boards of commissioners to dissolve county road commissions and transfer the responsibilities and duties of those road commissions to the county boards of commissioners. Whether this would create additional savings or expenses depends upon local circumstances.

Fiscal Analyst: Michael Siracuse

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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.