

# HOUSE BILL NO. 6397

November 12, 2020, Introduced by Reps. Meerman and Steven Johnson and referred to the Committee on Government Operations.

A bill to amend 1967 PA 288, entitled  
"Land division act,"  
by amending section 209 (MCL 560.209).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 209. (1) When **the assessor's plat is** completed, the  
2 **surveyor shall file the** assessor's plat ~~shall be filed~~ with the  
3 clerk of the governing body that ordered the plat. ~~In~~  
4 ~~unincorporated areas, the~~ **Before filing an assessor's plat of an**  
5 **area that is not located within a city or village, the surveyor**

1 **shall obtain a** certificate ~~of~~**from** the county road commission ~~shall~~  
 2 ~~first be secured,~~ stating that the public roads shown on the plat  
 3 were in existence ~~at the time~~**when** the plat was made.

4 (2) ~~The~~**If the assessor's plat is filed before January 1,**  
 5 **2022, the** clerk shall promptly give notice ~~thereof~~**of the filing** by  
 6 publication for 3 successive weeks in a newspaper of general  
 7 circulation in the city, village, township, or county, or if there  
 8 is none, in a newspaper published in ~~the~~**an** adjoining county and  
 9 having general circulation in the locality where the plat is  
 10 situated. **If the assessor's plat is filed on or after January 1,**  
 11 **2022, the clerk shall promptly post notice of the filing as**  
 12 **provided in the local government public notice act.**

13 (3) The plat shall remain on file in the clerk's office for 30  
 14 days after ~~the first publication.~~**the commencement of notice under**  
 15 **subsection (2).** At any time ~~within~~**before** the 30-day period  
 16 **expires,** any person or public body having an interest in any lands  
 17 affected by the plat may bring ~~a suit~~**an action** to ~~have such~~  
 18 **correct the plat.** ~~corrected.~~

19 (4) ~~If no such suit is brought~~**If an action is not commenced**  
 20 ~~within such~~**that** time, ~~the plat may be approved by the governing~~  
 21 ~~body~~ **may approve the plat.**

22 (5) ~~If suit is brought, approval shall be withheld~~**If an**  
 23 **action is timely commenced, the governing body shall not approve**  
 24 **the plat** until ~~it~~**the case** is decided. If necessary, the plat shall  
 25 be revised in accordance with ~~such decision,~~**the order of the court**  
 26 **and** then approved by the governing body.

27 Enacting section 1. This amendatory act does not take effect  
 28 unless Senate Bill No.\_\_\_\_ or House Bill No. 6440 (request no.  
 29 02449'19) of the 100th Legislature is enacted into law.