
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 519 (as introduced 4-15-99)
Sponsor: Senator Mat J. Dunaskiss
Committee: Local, Urban and State Affairs

Date Completed: 5-5-99

CONTENT

The bill would amend the Uniform Condemnation Procedures Act to permit an agency to withdraw a good faith written offer and resubmit it, if the agency made the offer pursuant to the Act before January 28, 1994, and filed a complaint for acquisition of the property on or after December 26, 1996, and if the action were still pending. The amount of the resubmitted written offer could differ from the amount of the withdrawn written offer only to the extent necessary to reflect the reservation or waiver of rights to bring a Federal or State cost recovery action arising out of a release of hazardous substances at the property.

Currently under the Act, if an agency made a good faith written offer before January 28, 1994, but has not filed a complaint for acquisition of the property, the agency may withdraw that written offer and resubmit another written offer that complies with the Act. The bill would revise this provision as described above.

(Under the Act, when property is acquired by a public or private agency, the agency first must establish an amount that it believes is just compensation for the property. The agency must promptly submit to the property owner a good faith written offer to acquire the property for that amount. If the agency and the owner cannot reach an agreement for the purchase of the property, the agency may file an action in court to acquire the property. "Public agency" means a governmental unit, officer, or subdivision authorized by law to condemn property. "Private agency" means a person, partnership, association, corporation, or entity, other than a public agency, authorized by law to condemn property.)

MCL 213.55

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would result in potential costs to the State and local units of government. The number of cases that would be affected cannot be determined.

Fiscal Analyst: B. Bowerman

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