

Dec. 13, 2024

New laws affecting local government

Several bills recently passed by the Legislature—and previously reported in *Township Insights*—impacting local government were signed by the governor:



- Public Acts [157](#) & [158](#)—Prohibits possession of firearm at a polling place, absent voter counting board or within 100 feet of an absentee ballot drop box
- Public Acts [161](#), [162](#) & [163](#)—Creates a civil fine and a camera-based violation for unlawfully passing or failing to stop for a school bus
- Public Acts [164](#) & [165](#)—Authorizes the installation of an automated speed enforcement system in a work zone on a freeway and creates a civil fine for exceeding the posted speed limit in a work zone by 10 miles per hour

Legislation would establish GEMT in Michigan

Publicly owned or operated ground emergency medical transportation providers for transportation services rendered to Medicaid patients would see increased funding under [House Bill 5695](#), sponsored by Rep. Mike McFall (D-Hazel Park) and supported by MTA. The bill passed the House this week and would enable the Michigan Department of Health and Human Services' participation in the Centers for Medicare and Medicaid Services' (CMS) Ground Emergency Medical Transportation (GEMT) program to access federal funds available for emergency services. HB 5695 now moves to the Senate. MTA encourages affected communities to [urge their senators](#) to support the bill.

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MICHIGAN TOWNSHIPS ASSOCIATION

Minimum staffing measure approved by the Senate

Legislation to require minimum staffing levels be a mandatory subject of collective bargaining

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Feb. 13: [Gaylord](#)

between the public employer and the representative of its police and fire department employees passed the Senate this week. [Senate Bill 1167](#), sponsored by Sen. Veronica Klinefelt (D-Eastpointe), would amend the Public Employment Relations Act to require minimum staffing levels be included as a subject of collective bargaining. In addition to wages, hours, and other terms and conditions of employment, minimum staffing would also be subject to arbitration for labor disputes involving public police and fire departments. MTA opposes SB 1167, which is now in the House.



Feb. 19: [Mt. Pleasant](#)
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Feb. 25: [Marquette](#)
Feb. 26: [Sault St. Marie](#)
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Measure would change Publicly Funded Health Insurance Contribution Act

A bill passed by the House this week would amend Public Act 152 of 2011 and increase the amount public employers pay toward their employees' medical benefits. [House Bill 6058](#), sponsored by Rep. May Xiong (D-Warren) and opposed by MTA, proposes to eliminate the current contribution cap and put in place increased contribution amounts. The bill now moves to the Senate.

Unemployment benefit increase goes to governor

An increase in unemployment compensation, both the number of weeks and the level of benefits, is now awaiting signature by the governor. [Senate Bill 40](#), sponsored by Sen. Paul Wojno (D-Warren), increases the maximum number of weeks from 20 weeks to 26 weeks for an individual qualifying for unemployment benefits, and increases the maximum weekly benefit rate from \$362 to \$614 incrementally over the next three years.

OMA changes permit remote participation for nonelected bodies

Public bodies without taxing authority whose members are not compensated or elected would be permitted to meet remotely under proposed changes to the Open Meetings Act (OMA). [House Bill 4693](#), introduced by Rep. John Fitzgerald (D-Wyoming), would allow publicly available electronic meetings to satisfy OMA requirements for noncompensated and nonelected bodies, or for all public bodies when the typical meeting place for the body is under a declared state of emergency. The bill awaits a vote before the full House.



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Local ordinances could limit open carry in government buildings

Local governments could pass ordinances limiting open carry of firearms inside government buildings under legislation advanced to the House floor this week. [House Bill 4198](#), introduced by Rep. Carol Glanville (D-Walker), allows local governments to prohibit the open carry of firearms inside government-leased or owned buildings. Law enforcement officers must be allowed to open carry under any ordinance or policy implemented under the bill. MTA supports the bill that restores permissive local authority. The bill awaits consideration by the full House.

Hazardous waste changes could slow down import of nuclear waste

Several bills aimed at making Michigan a less attractive disposal destination for hazardous and radioactive waste have advanced in the Legislature. [House Bill 5923](#) and [Senate Bill 1052](#) would prohibit Michigan landfills from accepting any new technologically enhanced naturally occurring radioactive material (TENORM), though they could continue to store any material already onsite. SB 1052 would require the state to adopt a comprehensive State Hazardous Radioactive Waste Plan and place a moratorium on licenses and permits until a plan is adopted. [SB 938](#) would increase the tipping fees for waste deposited in a Class I Commercial Hazardous Waste Disposal Well. Those fees would be placed in a grant fund to be distributed to communities with a disposal site. HB 5923, sponsored by Rep. Reggie Miller (D-Van Buren Chtr. Twp.), was approved by the House Committee on Natural Resources, and SBs 938 and 1052, sponsored by Sen. Darrin Camilleri (D-Brownstown Chtr. Twp.), passed the full Senate.

House approves change for charter township board vote abstentions

For members of a charter township board, the law currently provides that a board member present at a meeting must vote on all questions to be decided by the board, unless that member is unanimously excused by the other present members. [House Bill 4860](#), sponsored by Rep. Denise Mentzer (D-Mt. Clemens) and supported by MTA, would change that. The bill, passed by the House this week, would allow a charter township board member to abstain from a vote if they believe a conflict of interest exists. The board member would be required to announce their intent to abstain and disclose on the record the factual basis for the abstention. The bill goes to the Senate for consideration.

Bleeding control measures added to Good Samaritan Act

Individuals acting in good faith who voluntarily apply bleeding control measures during an emergency medical situation would be immune from civil liability under [House Bill 5743](#), sponsored by Rep. Dave Prestin (R-Cedarville Twp.). The bill, approved by the full House this week, would apply the exemption to individuals who have no duty to respond to a medical emergency if their actions do not constitute gross negligence or willful and wanton misconduct. The bill was transmitted to the Senate for consideration.

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Civil action against firearm manufacturers possible under new legislation

Local governments may gain the option to bring civil action against firearm or ammunition manufacturers under a bill approved by the House Judiciary Committee this week. [House Bill 6185](#), introduced by Rep. Kelly Breen (D-Novi), repeals an existing prohibition on local units of government from seeking damages resulting from a manufacturer's failure to warn a purchaser of a firearm or ammunition's potential to cause injury, damage or death, or incorporate a safety mechanism to prevent unauthorized discharge of a firearm. The bill is pending a vote in the full House.



House approves expanded e-notarization services

Notaries public could regain the COVID-era option to have witnesses or individuals seeking notary services appear remotely through two-way, real-time audiovisual technology under legislation approved by the House this week. [House Bill 5882](#), sponsored by Rep. Rachel Hood (D-Grand Rapids), would require the Secretary of State and Michigan Department of Technology, Management and Budget to develop statewide standards for remote e-notarization systems capable of recording notarial acts, giving notaries public more technological options for remotely located witnesses or individuals seeking a notarial act. The bill would allow remote e-notarization platforms to satisfy the physical presence requirement that expired on June 30, 2021. The bill now awaits consideration in the Senate.

Modifications to drain code receive final approval

Three bills received final approval this week to amend the drain code, impacting assessment limits, drainage district boundary revisions, and compensation for drainage board and board of determination members. [House Bill 5188](#) will increase the amount—\$5,000 to \$10,000 per mile or fraction of a mile of the drain—a drain commissioner or drainage board can spend on maintenance and repairs without being subject to petition requirements under the drain code. [HB 5189](#) modifies the procedures to revise the boundaries of a drainage district to add land from one or more counties, and [HB 5190](#) changes the compensation provisions. MTA opposed the three bills, which go to the governor for signature.

Bill to eliminate public transit authority opt-out expanded

Legislation approved by the House this week was expanded to include additional counties to prohibit their opt-out of a county's public transit authority. Currently, the law permits a political subdivision that is a member of a public transit authority—or the portion of a city, village or township that is a member of a public authority—to be released from membership if certain conditions are met. [House Bill 6088](#), sponsored by Rep. Alabas Farhat (D-Dearborn), would eliminate from these provisions political subdivisions within a county with a public transit authority authorized under the Public Transportation Authority Act and a population of at least 1.1 million—which now would include Oakland and Wayne Counties. The measure would also remove the five-year limit on taxes levied by public transit authorities. The bill now advances to the Senate for action.

Judicial Protection Act would prohibit information release under FOIA

Townships and other public bodies would be required to not publicly post, display or release under a Freedom of Information Act (FOIA) request certain personal identifying information concerning a judge or certain family members under legislation approved by the Senate this week. [House Bill 5724](#), sponsored by Rep. Kelly Breen (D-Novi), would create the Judicial Protection Act to allow judges to submit a written request that a public body not publicly post or display certain information and to require compliance with such a request. If a request were made and not complied with, the judge could go to court to compel compliance and recover court costs and attorney fees. The bill returns to the House for a concurrence vote before being sent to the governor for signature.

District Library Freedom to Read Act approved by committee

District libraries would be required to provide standards and processes for the selection of materials to be included in, or withdrawn from, a public or district library's collection. [House Bill 6035](#), sponsored by Rep. Carol Glanville (D-Walker), creates the District Library Freedom to Read Act that sets up a reconsideration process for library materials that individuals wish to be removed from circulation. The reasons for reconsideration cannot be based on characteristics of the author or subject matter unless the material has been adjudicated to be obscene. The bill was reported by the House Government Operations Committee and now moves to the full House.



Price gouging bills advance in both chambers

Legislation targeting price gouging by retailers and providers of essential services, including energy, lodging and food, is advancing through both chambers. House Bills [5895](#), [5896](#) and [5897](#), and Senate Bills [954](#), [955](#) and [956](#) implement new consumer protections for users of essential services by prohibiting excessive

price inflations during a declared state of emergency. The bills impose steep fines on violators and create a civil cause of action for local governments to recuperate the amount of money spent over the value of the service or goods when retailers are found to be exorbitantly increasing their prices. The Senate bills cleared the full Senate earlier this week, while the House bills were approved from committee this week.

Bills allowing township employees to distribute opioid antagonists sent to governor

Townships and other government entities could obtain and distribute naloxone or other equally safe, effective drugs approved by the Food and Drug Administration for treating a drug overdose under bills passed by the Senate this week. [House Bills 5077](#) and [5078](#), sponsored by Reps. Curt VanderWall (R-Ludington) and Carrie Rheingans (D-Ann Arbor), allow an employee or agent of a government entity trained in administering an opioid antagonist to distribute that drug to any individual. The bills provide immunity from civil and criminal liability for injury, death or damages from the administration or failure to administer an opioid antagonist if the person's conduct is not willful or wanton misconduct. The bills have been enrolled and sent to the governor.

Bill adjusting population thresholds for TEDF funding headed to governor

Legislation to ensure current distribution percentages for state restricted transportation dollars for Kent, Wayne, Oakland, Macomb and Genesee Counties remain at the same levels as before the 2020 Census was sent to the governor this week. [House Bill 5922](#), sponsored by Rep. Jaime Greene (R-Richmond), would adjust population thresholds that govern the distribution the Urban Congestion Relief Program (known as "Category C") within Transportation Economic Development Fund (TEDF). The TEDF helps fund highway, road and street improvements related to either a specific type of economic activity or a specific type of road system. Without the legislation, the 2020 Census figures would change the distribution for three of the five affected counties.

Senate passes bill overhauling the election challenger processes

Clerks would be required to appoint a challenger liaison at polling places, early voting sites and absent voter counting boards to whom the challengers would be required to report, under [Senate Bill 1068](#). They would also need to provide appropriate space for challengers within the public area of the clerk's office to observe Election Day registration. The bill, sponsored by Sen. Jeremy Moss (D-Southfield), contains changes that were part of guidance from the state Bureau of Elections for the 2024 election. The bill sets up a period for when challengers may challenge the voter registration of registered electors prior to the election. Finally, the bill also establishes a voter registration cancellation process for voters who have not voted in 20 years. SB 1068 now moves to the House for further consideration.

Early voting clean-up bills pass House

[House Bills 6054](#) and [6055](#), sponsored by Rep. Penelope Tsernoglou (D-East Lansing), amend provisions of the early voting law to provide more clarity and address deficiencies in the law. Changes include providing more flexibility regarding municipal and county agreements once they are in place, allowing municipalities to enter into a different municipal or county agreement after the presidential primary and allowing municipalities to enter into municipal agreements if they are part of a county agreement and the county withdraws. It also sets specific timelines for notifying the Michigan Bureau of Elections regarding the days, hours and locations of early voting sites, and allows early voting sites to serve only a portion of the county or municipality if every voter is served by at least one voting site. Additional changes address the permanent absent voter (AV) list, processing AV ballots, the number of voting booths required at a polling place, electronic pollbooks, and the reporting of election results. The bills now move to the Senate.



House passes bill that would expand use of on-demand ballots

A bill to expand the use of on-demand ballots was approved by the House this week. [House Bill 6052](#), sponsored by Rep. Penelope Tsernoglou (D-East Lansing), would expand the use of on-demand ballots to: 1) absent voter ballots issued to voters who register to vote at the clerk's office on Election Day, 2) ballots issued to voters who register to vote at an Election Day vote center and 3) ballots translated to a language other than English. Currently, ballots on-demand can only be used at early voting sites. The bill now moves to the Senate for further consideration.

Bill would lengthen the time prohibiting election-related civil actions

Under current law, civil actions that affect certain election-related activities cannot be brought within 28 days of the affected election. [House Bill 6053](#), sponsored by Rep. Penelope Tsernoglou (D-East Lansing), would extend that timeline to 45 days if they affect dates of elections, candidates, qualifications of candidates, ballots, ballot questions, polling places, drop box locations and early voting locations. If an action is brought within this time, there is a rebuttable presumption of laches, which means that the claim was unreasonably delayed and can be denied on that basis. The bill passed the House and now moves to the Senate.

Measure that would assess civil fines for election disinformation passes Senate

Individuals who intentionally and knowingly make a false statement or misrepresentation about an election with the intent to impede or prevent another individual from voting would be subject to civil fines, under a bill that passed the Senate this week. [Senate Bill 707](#), sponsored by Sen. Mary Cavanagh (D-Redford Chtr. Twp.), would provide a civil fine of up to \$1,000 if the false

information concerns the time, place or manner of an election, the qualifications for or restrictions on voter eligibility, criminal penalties associated with voting in an election, or an individual's voter registration status. The bill now moves to the House.

Bill modifies voter ID requirements

Mobile driver's licenses and mobile state personal IDs would not be permitted identification for election purposes under a bill that passed the Senate this week. [House Bill 4698](#), sponsored by Rep. Kara Hope (D-Delhi Chtr. Twp.), would also apply to mobile enhanced driver's licenses. The bill now goes back to the House to concur the changes made by the Senate.

Public bodies that collect racial or ethnic data could see new requirements

Townships and other public bodies that require an individual to indicate their race or ethnicity in writing would need to include certain categories and sub-categories of racial designations as part of the question. [Senate Bill 958](#), sponsored by Sen. Darrin Camilleri (D-Brownstown Chtr. Twp.), prescribes the various races and ethnicities that must be included when these inquiries are made. These changes would not have to be incorporated into new documents until three years after the enactment of the bill. The bill passed the Senate and now moves to the House.

Bills would give local governments more authority on labor issues

Two bills passed the Senate this week that will give townships more authority to pass

ordinances governing labor issues such as wages and the use of union labor. [Senate Bill 170](#), sponsored by Sen. Sean McCann (D-Kalamazoo), repeals the Fair and Open Competition in Governmental Construction Act. [SB 1173](#), sponsored by Sen. Jeremy Moss (D-Southfield), amends the Local Government Labor Regulatory Limitation Act to allow local governments to require a wage higher than the state minimum wage if the employer receives funding or an incentive from the local government, or has a contract with the local government. The bills are now moving to the House for further consideration.



Reminder on school district coordinating committees

School district election coordinating committees, which meet every four years, must meet in January or early February 2025. The coordinating committees review and, if necessary, alter the election arrangements set forth in the previous report. This report must be sent to the state Bureau of Elections (BOE) for each school district, regardless of whether any changes were made. The meetings are organized by the election coordinator. For school districts contained in a single city or township, the election coordinator is the clerk of the city or township where the district is located. For school districts located in more than one city or

township, the election coordinator is the county clerk for the county in which the largest number of school district electors reside. Review the 2025 School District Election Coordinating Committee Guide in the BOE's [eLearning Center](#) for further information.

New date, time for EGLE environmental emergency preparedness webinar

A Michigan Department of Environment, Great Lakes, and Energy (EGLE) [webinar](#), now scheduled for **Dec. 19 at 2 p.m.**, aims to help local governments increase their understanding of their responsibilities and response actions to environmental incidents and emergencies like fires, floods, dam failures and oil spills, and will discuss U.S. EPA Emergency Response site stabilization and removal activities at a recent fire site in Clinton Charter Township (Macomb Co.).

Federal update for week of Dec. 9

Check out the National Association of Towns and Townships [Weekly Legislative Update](#) for an update on federal actions impacting townships.

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