



2022-2023 Michigan End of Legislative Session Report

Community Associations Institute's (CAI) Michigan Legislative Action Committee (MI LAC) had a busy legislative session advocating on behalf of the approximately 1,412,000 Michiganders living in 578,000 homes in more than 8,550 community associations. More than 4,520 bills were introduced, and the MI LAC closely monitored 35 bills that would have directly affected community associations. Below is a brief overview:

HB 4416 – Property: other; certain restrictive covenants in deeds and other instruments; prohibit. Creates new act. The MI LAC worked with Representative Sarah Anthony and her staff to help pass a new law that would allow the boards of community associations to easily amend their governing documents to remove discriminatory covenants. The bill authorizes boards to record a discharge to remove such covenants from their documents without a general vote. The LAC additionally helped amend the bill to ensure that it complied with the existing provisions of the Michigan Condominium Act regarding amendments and to ensure that association boards will be able to easily identify removable “prohibited restrictions” by more specifically defining this term in the bill. The bill was passed into law as the [“Discharge of Prohibited Restrictive Covenants Act”](#) and made effective December 13th, 2022.

Status: **Enacted**

HB 6370 - Property: recording; marketable record title; modify. Amends sec. 4 of 1945 PA 200 (MCL 565.104). The MI LAC spent a significant amount of time focusing on the Marketable Record Title Act during this legislative session. The MI LAC's goal was to protect the legality and integrity of the governing documents of as many Michigan community associations as possible. HB 6370 was drafted to amend the MRTA so as to protect utility easements and conservation easements from the problems created by the 2018 amendments to the Act but could also potentially protect restrictive covenants in deed restrictions. The language of the HB 6370 does not specifically benefit community associations but does state that the MRTA cannot be used so as to “[b]ar any land or resource use restriction” Whether courts would interpret this to apply to land use restrictions contained in recorded community association documents remains to be seen. The MI LAC worked diligently up until the bill was sent to the Governor's Office to amend this bill to include an amendment addressing community associations but was not successful. The bill was passed into law as [Public Act 235](#) and effective starting December 28, 2022. In the next session, the LAC intends to continue its efforts to add a specific exemption to MRTA preserving the integrity of the governing documents of all Michigan community associations from any adverse effects of the 2018 MRTA amendments.

Status: **Enacted**



SB 1001 – Businesses: associations; prohibition for placement of solar panels on residential property in certain communities by homeowners associations; prohibit. Creates new act. This bill was opposed by the MI LAC as it would have created a prohibition on community associations in the state from putting restrictions on solar panel installations. The bill did not gain traction and died in committee.
Status: **Failed sine die.**

Your Assistance is Needed

The CAI Michigan LAC relies on outside resources such as professional lobbying as a vital and integral part of the legislative process. The volunteers who make up the Michigan Legislative Action Committee – including homeowner leaders, community managers, and business partners – greatly rely on contributions from management companies and business partners in addition to individuals to continue their important efforts in the legislature. The MI LAC needs your financial support to bolster their advocacy activities in 2023 and beyond. We encourage donations from Michigan community associations, business partners, and individuals. Please visit www.caionline.org/lacdonate/ and donate to “Michigan” to support our continued efforts.

We need YOUR voice! [Sign up today](#) to become a CAI Advocacy Ambassador and help shape legislation in your state!

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