

Issue Brief



Unfunded Mandates: HB 5353

Background

Article 9, Section 29 of the Michigan Constitution prohibits the state from mandating local governments provide new services or from increasing the level of mandates services that were required before 1978 without the proper funding for those mandates.

In 2009, the Legislative Commission on Unfunded Mandates determined that more than \$2.5 billion in services that can be measured and billions more that cannot be measured, are provided by counties and other units of local government at no cost to the state of Michigan. Efforts are under way to update this study and determine the true cost of unfunded mandates on counties.

For the past 15 years, we have seen many bills introduced to implement a process for state compliance with the Headlee amendment. [House Bill 5353](#) is the most recent version of this.

The bill will require the identification of additional mandated services and a cost estimate for those services prior to the third reading of the bills in the originating chamber. This would give legislators prior knowledge of the costs associated with any particular bill.

MAC's Efforts

- MAC has supported, and continues to support, any and all legislation that would force legislative and state agency compliance with the unfunded mandate provisions of the Michigan Constitution.
- **MAC testified in support of HB 5353** in March 2024 and is encouraging movement of the bill out of House Local Government and Municipal Finance Committee.



Message to Lawmakers

- Support for HB 5353 is critical.
- Funding any new mandates or an increase in services thrust upon local governments is the responsibility of the state.
- It is a constitutional requirement for the state to support additional service mandates, this legislation provides the process for ensuring this happens.
- Most counties do not have the revenue necessary to take care of the mandated services they are currently responsible for.