

HOUSE BILL No. 5822

May 29, 1990, Introduced by Rep. Dunaskiss and referred to the Committee on Judiciary.

A bill to amend section 3801 of Act No. 236 of the Public Acts of 1961, entitled as amended "Revised judicature act of 1961," as amended by Act No. 2 of the Public Acts of 1988, being section 600.3801 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3801 of Act No. 236 of the Public Acts
2 of 1961, as amended by Act No. 2 of the Public Acts of 1988,
3 being section 600.3801 of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 3801. (1) ~~Any~~ A building, vehicle, boat, aircraft,
6 or place TO WHICH ANY OF THE FOLLOWING APPLY IS DECLARED A
7 NUISANCE:

8 (A) IT IS used for the purpose of lewdness, assignation or
9 prostitution, or gambling. ~~—or—~~

1 (B) IT IS used by, or kept for the use of, prostitutes or
 2 other disorderly persons ~~, or~~ AS DEFINED IN SECTION 167 OF THE
 3 MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931,
 4 BEING SECTION 750.167 OF THE MICHIGAN COMPILED LAWS.

5 (C) IT IS used for the unlawful manufacture, transporting,
 6 sale, keeping for sale, bartering, or furnishing of ~~any~~ A con-
 7 trolled substance as defined in section 7104 of the public health
 8 code, Act No. 368 of the Public Acts of 1978, being section
 9 333.7104 of the Michigan Compiled Laws, or of any vinous, malt,
 10 brewed, fermented, spirituous, or intoxicating liquors or any
 11 mixed liquors or beverages, any part of which is intoxicating.
 12 ~~, is declared a nuisance, and the~~

13 (2) THE furniture, fixtures, and contents of the building,
 14 vehicle, boat, aircraft, or place DECLARED A NUISANCE UNDER
 15 SUBSECTION (1) and ~~all~~ ANY intoxicating liquors ~~therein~~ OR
 16 CONTROLLED SUBSTANCES CONTAINED IN THE BUILDING, VEHICLE, BOAT,
 17 AIRCRAFT, OR PLACE are also declared a nuisance. ~~, and all con-~~
 18 ~~trolled substances and~~

19 (3) THE nuisances DESCRIBED IN THIS SECTION shall be
 20 enjoined and abated as provided in this act and as provided in
 21 the court rules. ~~Any~~

22 (4) A person or his or her servant, agent, or employee who
 23 owns, leases, conducts, or maintains ~~any~~ A building, vehicle,
 24 BOAT, AIRCRAFT, or place used for any of the purposes or acts set
 25 forth in ~~this section~~ SUBSECTION (1) is guilty of a nuisance.