SUBSTITUTE FOR

HOUSE BILL NO. 5134

A bill to amend 1961 PA 236, entitled

"Revised judicature act of 1961,"

by amending section 3805 (MCL 600.3805).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3805. (1) The attorney general of the state of

2 Michigan ~~,~~ OR the prosecuting attorney or any citizen of the

3 county ~~,~~ may maintain an action for equitable relief in the

4 name of the state of Michigan, upon the relation of ~~such~~ THE

5 attorney general, prosecuting attorney, or citizen to abate

6 ~~said~~ THE nuisance and to perpetually enjoin ~~any person, his~~ A

7 PERSON OR HIS OR HER servant, agent, or employee, who ~~shall own,~~

8 ~~lease, conduct or maintain such~~ OWNS, LEASES, CONDUCTS, OR MAIN-

9 TAINS A building, vehicle, boat, aircraft, or place ~~,~~ DESCRIBED

10 IN SECTION 3801 from permitting or suffering ~~such~~ THAT

11 building, vehicle, boat, or aircraft or place owned, leased,

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1 conducted, or maintained by him OR HER, or any other building,

2 vehicle, boat, aircraft or place conducted or maintained by him

3 OR HER, to be used for any of the purposes PROSCRIBED, or by any

4 of the persons ~~set forth~~ DESCRIBED, in section 3801 ~~,~~ or for

5 any of the acts enumerated in ~~said~~ section 3801. When the

6 injunction has been granted, it shall be binding on the defendant

7 throughout the judicial circuit in which it was issued.

8   (2) A PRIVATE CITIZEN OF THE COUNTY WHO BRINGS AN ACTION TO

9 ABATE A PUBLIC NUISANCE THAT EXISTS AT AN ADULT ENTERTAINMENT

10 ESTABLISHMENT LICENSED, OR REQUIRED TO BE LICENSED, UNDER ARTICLE

11 17A OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.1751 TO

12 339.1770, AND IN WHOSE FAVOR THE COURT RENDERS AN ORDER OR JUDG-

13 MENT, MAY BE AWARDED A REASONABLE ATTORNEY'S FEE AS PART OF THE

14 COSTS OF MAINTAINING THE ACTION.

15   Enacting section 1. This amendatory act does not take

16 effect unless House Bill No. 5124 of the 90th Legislature is

17 enacted into law.