



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5197 (as reported with amendment)
Sponsor: Representative Jerry O. Kooiman
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend Chapter 66 of the Revised Statutes of 1846 (which contains various provisions concerning real estate) to shorten from seven days to 24 hours the minimum time before a property owner may recover possession of premises by summary proceedings after service of a written demand for termination of a lease due to a controlled substance violation on the premises. The bill would take effect on September 1, 2004.

Under Chapter 66, if a tenant holds over after a lease is terminated pursuant to a clause in the lease providing for termination because the tenant, a member of the tenant's household, or another person under the tenant's control manufactured, delivered, possessed with intent to deliver, or possessed a controlled substance on the leased premises, the landlord may terminate the tenancy by giving the tenant a written seven-day notice to quit. Under the bill, the landlord could terminate the tenancy by giving the tenant a written 24-hour notice to quit.

The bill is tie-barred to House Bill 5182, which would similarly amend the Revised Judicature Act.

MCL 554.134

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 4-26-04

Fiscal Analyst: Bethany Wicksall