

SENATE BILL No. 648

(As amended, October 22, 2003)

August 13, 2003, Introduced by Senators PATTERSON, BIRKHOLZ, BISHOP, KUIPERS, SCHAUER, GEORGE, JELINEK, McMANUS and HARDIMAN and referred to the Committee on Judiciary.

A bill to amend 1917 PA 167, entitled
"Housing law of Michigan,"
(MCL 125.401 to 125.543) by adding section 85a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 85a. (1) A state or local law enforcement agency shall
2 notify the enforcing agency regarding the potential contamination
3 of any property or dwelling that is or has been the site of
4 illegal drug manufacturing. Within 3 days after receiving
5 notification, the enforcing agency shall post a written warning
6 on the premises regarding potential contamination <<and inform the
 department of environmental quality of the suspected contamination for
 future inspection>>.
7 (2) Within 14 days after receipt of the notification <<or as soon
8 thereafter as practically possible, a team shall be formed by
9 representatives from the department of environmental quality, the
10 enforcing agency, and any other agencies necessary for undertaking an
11 inspection under this section and other applicable acts, and shall
 inspect the premises for contamination.>>

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1 (3) If <<the team of inspectors>> determines that
2 the property or dwelling, or both, has been contaminated and is
3 unfit for human habitation or presents a danger to the life or
4 health of others, <<the team shall inform the enforcing agency of its
5 determination. Upon notice of the inspection team's determination, the
6 enforcing agency>> shall issue an order requiring the property or
7 dwelling
8 to be vacated until the property is decontaminated or the risk
9 ceases to exist. Upon issuance of the order, the enforcing
10 agency shall provide the owner with an opportunity for a hearing
11 pursuant to the administrative procedures act of 1969, 1969 PA
12 306, MCL 24.201 to 24.328, within 15 days of the date of its
13 issuance.

12 (4) The department of community health <<and department of
13 environmental quality>> shall promulgate rules
and procedures necessary to implement this section.

<<Enacting section 1. This amendatory act takes effect January 31,
2004.>>