

HOUSE BILL No. 4897

June 26, 2003, Introduced by Reps. Taub, Nofs, Garfield, Wenke, Palmer, Tabor, Casperson, LaJoy, Robertson, Pastor and Meyer and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1937 PA 306, entitled

"An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts,"

(MCL 388.851 to 388.855a) by amending the title, as amended by 2002 PA 628, and by adding section 3a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings — and by regulating the construction, reconstruction, and

1 remodeling of buildings leased or acquired for school purposes;
2 ~~—, and~~ to define the class of buildings affected by this act; to
3 provide for the removal of school buildings under certain
4 circumstances; to prescribe the powers and duties of certain
5 state and local agencies and officials; to prescribe remedies and
6 penalties for the violation of this act; and to repeal acts and
7 parts of acts.

8 Sec. 3a. (1) A municipality may provide for the removal of
9 an abandoned school building in the manner provided in subsection
10 (2).

11 (2) A municipality shall hold a public hearing on the
12 question of removal of an abandoned school building. If, after
13 the public hearing, the municipality determines that the school
14 building is either vacant or boarded, or both, that a significant
15 attempt to rehabilitate the building has not been made for 36
16 months or more, and that the building has become an attractive
17 nuisance to children because of its physical condition, the
18 municipality may have the building removed and assess the costs
19 to the school district.

20 (3) A municipality may bring a civil action to recover the
21 costs plus actual attorney fees incurred against a school
22 district that does not pay the costs assessed under subsection
23 (2) within 90 days after a claim is presented by a municipality.