

# SENATE BILL No. 757

October 2, 2003, Introduced by Senators CLARKE, CHERRY, JACOBS, CLARK-COLEMAN and GOSCHKA and referred to the Committee on Families and Human Services.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 5475a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 5475a. (1) Effective January 1, 2004, a rental agent,  
2 landlord, or owner who rents or leases a rental unit to another  
3 person with personal knowledge that at the time of rental or  
4 lease the unit contained 1 or more lead-based paint hazards is  
5 guilty of a misdemeanor punishable by imprisonment for not more  
6 than 90 days or a fine of not more than \$5,000.00, or both. In  
7 addition, the rental agent, landlord, or owner shall be ordered  
8 to return all rental payments made for the period of exposure to  
9 the lead-based paint hazards.

10       (2) A rental agent, landlord, or owner of a rental unit is  
11 presumed to have personal knowledge of 1 or more lead-based paint

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1 hazards in a rental unit if he or she received a copy of a lead  
2 inspection, a risk assessment, or a lead hazard screen from a  
3 certified inspector that indicates that the rental unit contains  
4 1 or more lead-based paint hazards in sufficient quantities so as  
5 to cause an elevated blood level in a person more than 6 years of  
6 age or in a child 6 years of age or less as described in section  
7 5456(7).