

# SENATE BILL No. 1142

March 14, 2006, Introduced by Senators SCOTT, PRUSI, GEORGE, CLARKE, KUIPERS, GARCIA, BARCIA and SCHAUER and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

A bill to amend 1974 PA 258, entitled  
"Mental health code,"  
by amending sections 138, 140, and 146 (MCL 330.1138, 330.1140, and 330.1146), section 138 as amended by 1995 PA 290.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 138. Before the issuance of an original or biennial  
2       license, a psychiatric hospital, psychiatric unit, or psychiatric  
3       partial hospitalization program shall be inspected by the ~~state~~  
4       ~~fire marshal, or his or her designated representative~~ **BUREAU OF**  
5       **FIRE SERVICES CREATED IN SECTION 1B OF THE FIRE PREVENTION CODE,**  
6       1941 PA 207, MCL 29.1B. A license shall not be issued until the  
7       ~~state fire marshal~~ **BUREAU OF FIRE SERVICES** approves the hospital  
8       or unit.

Senate Bill No. 1142 as amended May 9, 2006

1       Sec. 140. The director or the ~~state fire marshal~~ **BUREAU OF**  
2 **FIRE SERVICES CREATED IN SECTION 1B OF THE FIRE PREVENTION CODE,**  
3 **1941 PA 207, MCL 29.1B,** or their designated representatives may  
4 enter upon the premises of an applicant or licensee at a reasonable  
5 time for the purpose of determining whether the applicant or  
6 licensee meets the requirements of sections 134 through 150.

7       Sec. 146. A person aggrieved by a decision of the director or  
8 ~~state fire marshal~~ **BUREAU OF FIRE SERVICES CREATED IN SECTION 1B**  
9 **OF THE FIRE PREVENTION CODE, 1941 PA 207, MCL 29.1B,** may appeal to  
10 the circuit court, requesting an order reversing the decision. The  
11 appeal shall be based upon the whole record, and the circuit court  
12 shall consider whether the decision is authorized by law and  
13 supported by competent evidence.

14       <<Enacting section 1. This amendatory act does not take effect  
15 unless all of the following bills of the 93rd Legislature are enacted  
16 into law:  
    (a) Senate Bill No. 1133.  
    (b) House Bill No. 5860.>>