

Act No. 207
Public Acts of 2006
Approved by the Governor
June 16, 2006
Filed with the Secretary of State
June 19, 2006
EFFECTIVE DATE: June 19, 2006

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Senators Scott, Prusi, George, Clarke, Kuipers, Garcia, Barcia and Schauer

ENROLLED SENATE BILL No. 1142

AN ACT to amend 1974 PA 258, entitled "An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts," 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:

Sec. 138. Before the issuance of an original or biennial license, a psychiatric hospital, psychiatric unit, or psychiatric partial hospitalization program shall be inspected by the bureau of fire services created in section 1b of the fire prevention code, 1941 PA 207, MCL 29.1b. A license shall not be issued until the bureau of fire services approves the hospital or unit.

Sec. 140. The director or the bureau of fire services created in section 1b of the fire prevention code, 1941 PA 207, MCL 29.1b, or their designated representatives may enter upon the premises of an applicant or licensee at a reasonable time for the purpose of determining whether the applicant or licensee meets the requirements of sections 134 through 150.

Sec. 146. A person aggrieved by a decision of the director or bureau of fire services created in section 1b of the fire prevention code, 1941 PA 207, MCL 29.1b, may appeal to the circuit court, requesting an order reversing the decision. The appeal shall be based upon the whole record, and the circuit court shall consider whether the decision is authorized by law and supported by competent evidence.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

- (a) Senate Bill No. 1133.
- (b) House Bill No. 5860.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Sam E. Randall

Clerk of the House of Representatives

Approved _____

Governor