

Legislative Analysis



PENALTIES FOR NONCOMPLIANCE WITH BLIGHT VIOLATION ORDERS

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House Bill 5319

Sponsor: Rep. Shanelle Jackson

Committee: Intergovernmental, Urban, and Regional Affairs

Complete to 12-4-07

A SUMMARY OF HOUSE BILL 5319 AS INTRODUCED 10-16-07

The bill would amend the Housing Law of Michigan (MCL 125.541b) to allow a home rule city to designate a violation of the state housing law and a substantially similar local ordinance as a blight violation.

[Under the Home Rule City Act, certain cities (depending upon total population) are allowed to establish an administrative hearings bureau to adjudicate and impose sanctions for violations of their charters or their ordinances designated as blight violations. The bureau may set a fine schedule, and collect civil fines and costs for such violations. No civil fine can exceed \$10,000. A city that establishes an administrative hearings bureau may designate a violation of certain designated types of ordinances as blight violation.]

Currently under the state Housing Law, if a building or structure is found to be dangerous, notice is given its owner, agent, or lessee, generally by officials in the local government, and a hearing date is set to determine whether the building is dangerous. That hearing is conducted by a hearing officer, according to protocols described in the law. A person who fails to comply with an order in a timely manner is guilty of a misdemeanor, punishable by imprisonment for not more than 120 days, or a fine of not more than \$1,000, or both.

House Bill 5319 would retain these provisions, but provide an exception that allows the legislative body of a home rule city that has enacted a local ordinance substantially the same as the state Housing Law to designate the violation of its ordinance and the state law as a blight violation (which carries a civil fine).

FISCAL IMPACT:

The bill would have no state fiscal impact. To the extent that fines are imposed, local revenue would increase by an unknown amount.

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