

Act No. 478
Public Acts of 2016
Approved by the Governor
January 6, 2017
Filed with the Secretary of State
January 6, 2017
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**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

Introduced by Reps. Neeley, Phelps, Chirkun, Lane, Robinson, Brunner, Santana, Kesto, Callton, Plawecki, Singh, Faris, Banks, Chang, Geiss, Hovey-Wright, Love, LaVoy, Durhal, Garrett, Greig, Gay-Dagnogo, Townsend, Guerra, Yanez, Derek Miller, Schor, Liberati, Kosowski, Zemke, Wittenberg, Vaupel and Smiley

ENROLLED HOUSE BILL No. 5120

AN ACT to amend 1976 PA 399, entitled “An act to protect the public health; to provide for supervision and control over public water supplies; to prescribe the powers and duties of the department of environmental quality; to provide for the submission of plans and specifications for waterworks systems and the issuance of construction permits therefor; to provide for capacity assessments and source water assessments of public water supplies; to provide for the classification of public water supplies and the examination, certification and regulation of persons operating those systems; to provide for continuous, adequate operation of privately owned, public water supplies; to authorize the promulgation of rules to carry out the intent of the act; to create the water supply fund; to provide for the administration of the water supply fund; and to provide penalties,” by amending section 19 (MCL 325.1019).


The People of the State of Michigan enact:

Sec. 19. (1) If water delivered by or the operation of a public water supply is found not to be in compliance with the state drinking water standards, the department shall require the supplier of water to notify its users of the extent and nature of the noncompliance. Notification of users must be in a form and manner prescribed or otherwise approved by the department.

(2) In addition to the notification under subsection (1), if public education regarding lead is required under R 325.10410 of the Michigan Administrative Code, a supplier of water shall issue a public advisory within 3 business days after the department notifies the supplier of water that an exceedance of the lead action level occurred. Additional public education tasks must be conducted as required under R 325.10410 of the Michigan Administrative Code. A supplier of water shall provide the public advisory under this subsection in a form and manner designed to fit the specific situation and the public advisory must be reasonably calculated to reach all persons served by the public water supply. To reach all persons served by the public water supply, a supplier of water shall use, at a minimum, 1 or more of the following forms of communicating the public advisory:

- (a) Appropriate broadcast media, such as radio and television.
- (b) Posting of the public advisory in conspicuous locations throughout the area served by the public water supply.
- (c) Hand delivering the public advisory to persons served by the public water supply.
- (d) A communication method other than one listed in subdivisions (a) to (c) as approved, in writing, by the department.

(3) A notification or public advisory received pursuant to this section or information obtained from the notification or public advisory shall not be used against a person in a litigation, except a prosecution for perjury or for giving a false statement.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor