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Senate Bill 648 (as introduced 8-13-03)
Sponsor: Senator Bruce Patterson
Committee: Judiciary

Date Completed: 10-13-03

CONTENT

The bill would amend the Housing Law of Michigan to do the following:

- Require a State or local law enforcement agency to notify the Housing Law enforcing agency regarding the potential contamination of any property or dwelling that is or was the site of illegal drug manufacturing.**
- Require the enforcing agency to inspect the premises for contamination.**
- Require the premises to be vacated under certain circumstances.**

("Enforcing agency" means the designated officer or agency charged with responsibility for administration and enforcement of the Housing Law.)

Within three days after receiving notice under the bill, the enforcing agency would have to post a written warning on the premises regarding potential contamination. Within 14 days after receiving notice, the enforcing agency, or that agency and representatives of other agencies that formed a team to undertake an inspection under the bill and applicable laws, would have to inspect the premises for contamination.

If an inspector or team of inspectors determined that the property or dwelling had been contaminated and was unfit for human habitation or presented a danger to the life or health of others, the health officer or other appropriate public official would have to issue an order requiring the property or dwelling to be vacated until it was decontaminated or the risk no longer existed. Upon the issuance of that order, the enforcing agency would have to give the property owner an opportunity for a hearing pursuant to the Administrative Procedures Act within 15 days after the order was issued.

The Department of Community Health would have to promulgate rules and procedures necessary to implement the bill.

Proposed MCL 125.485a

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: David Zin

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