

**SUBSTITUTE FOR
HOUSE BILL NO. 4750**

A bill to amend 1976 PA 399, entitled
"Safe drinking water act,"
by amending section 21 (MCL 325.1021), as amended by 2006 PA 601,
and by adding section 19d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 19d. (1) If a supplier of water knows that a customer's
2 residence is served by a lead service line, the supplier shall
3 notify the customer that his or her residence is served by a lead
4 service line. For each residence, the supplier shall, within 30
5 days after the effective date of the amendatory act that added this
6 section, notify the person who is a customer on that effective
7 date, unless the person is no longer a customer at that residence
8 on the date by which notice is required. The supplier shall notify



1 a subsequent customer at the residence within 30 days after the
 2 person becomes a customer. The notice must also contain all of the
 3 following:

4 (a) Information regarding the health effects of lead.

5 (b) Advice on the household use of water, including
 6 recommendations on the use of filters to reduce lead exposure and
 7 any flushing instructions.

8 (c) Information on the requirements of subsection (2).

9 (2) If the owner of a residence is notified under subsection
 10 (1) that the residence is served by a lead service line and if any
 11 part of the residence is used as a rental unit, the owner shall
 12 fully disclose the contents of the notice to any tenants in the
 13 rental agreement for that rental unit or in a separate disclosure
 14 statement provided for in subsection (3).

15 (3) The department, in consultation with representatives of
 16 the rental industry and suppliers of water, shall develop a
 17 separate written disclosure statement for use under subsections (1)
 18 and (2).

19 (4) As used in this section, "rental agreement", "rental
 20 unit", and "tenant" mean those terms as defined in section 1 of
 21 1972 PA 348, MCL 554.601.

22 Sec. 21. (1) ~~A~~ Except as provided in subsection (2), a person
 23 who violates this act, ~~or the rules~~ a rule promulgated under this
 24 act, or an order issued pursuant to this act is guilty of a
 25 misdemeanor punishable by a fine of not more than \$5,000.00 for
 26 each day of violation, or by imprisonment for not more than 1 year,
 27 or both.

28 (2) A law enforcement officer may issue and serve an
 29 appearance ticket upon a person for a minor offense pursuant to



1 sections 9c to 9g of chapter IV of the code of criminal procedure,
2 1927 PA 175, MCL 764.9c to 764.9g.

3 **(3) A person who knowingly violates section 19d(2) is**
4 **responsible for a state civil infraction and may be ordered to pay**
5 **a fine of not more than \$250.00. However, for each notice received**
6 **by the owner under section 19d(1), total fines for all rental units**
7 **with respect to which violations occur in a multifamily dwelling**
8 **shall not exceed \$500.00.**

9 **(4) ~~(3)~~As used in this section: ~~,"minor~~**

10 **(a) "Minor offense" means a violation of a permit issued under**
11 **this act that does not functionally impair the operation or**
12 **capacity of a waterworks system or the level of public health**
13 **protection it provides.**

14 **(b) "Multifamily dwelling" means that term as defined in**
15 **section 5459 of the public health code, 1978 PA 368, MCL 333.5459.**

16 Enacting section 1. This amendatory act takes effect 90 days
17 after the date it is enacted into law.

