



**House
Legislative
Analysis
Section**

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**END MUNICIPAL LIABILITY FOR
SEWER BACKUPS**

House Bill 4706

Sponsor: Rep. Larry DeVuyst

**Committee: Conservation and Outdoor
Recreation**

Complete to 8-8-01

A SUMMARY OF HOUSE BILL 4706 AS INTRODUCED 5-3-01

House Bill 4706 would add a provisions to Public Act 170 of 1964, the governmental immunity act, to eliminate municipal liability for sewer backups. The bill would specify that a municipal corporation would be immune from civil liability for damages caused as the result of the backup of a sewer or drain system that had been built, operated, maintained, or repaired or otherwise was under the jurisdiction of the municipal corporation. Further, the immunity would apply regardless of the theory of liability under which a claim was brought. However, the bill would specify that the exemption from liability did not apply in circumstances involving an act that amounted to gross negligence.

MCL 691.1416

House Bill 4706 (8-8-01)

Analyst: R. Young

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