

# HOUSE BILL No. 5110

December 3, 2015, Introduced by Rep. Garrett and referred to the Committee on Local Government.

A bill to amend 1939 PA 178, entitled

"An act to provide for the collection of water or sewage system rates, assessments, charges, or rentals; and to provide a lien for water or sewage system services furnished by municipalities as defined by this act,"

by amending section 1 (MCL 123.161), as amended by 1981 PA 132, and by adding section 1a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. As used in this act:

2           (a) "Municipality" means a county, city, township, village,  
3 **AUTHORITY**, or metropolitan district.

4           (b) "Person" means an individual, firm, partnership,  
5 association, or corporation which is the owner or occupant of any  
6 house or other building or any premises, lot, or parcel of land.

7           (c) "Sewage system" means a sewage disposal system, including

1 sanitary sewers, combined sanitary and storm sewers, plants, works,  
2 instrumentalities, and properties used or useful in connection with  
3 the collection, treatment, or disposal of sewage or industrial  
4 wastes.

5       SEC. 1A. (1) A MUNICIPALITY THAT OWNS OR OPERATES A WATER  
6 DISTRIBUTION SYSTEM OR A SEWAGE SYSTEM AND THAT PROVIDES WATER OR  
7 SEWERAGE SERVICE IN THIS STATE SHALL INCLUDE ON EACH CUSTOMER'S  
8 WATER OR SEWERAGE BILL BOTH OF THE FOLLOWING:

9           (A) THE WATER OR SEWERAGE RATES CHARGED TO THE CUSTOMER FOR  
10 THE BILLING PERIOD.

11           (B) THE ACTUAL WATER OR SEWERAGE USAGE BY THE CUSTOMER FOR THE  
12 BILLING PERIOD.

13           (2) SUBJECT TO SUBSECTION (3), A CUSTOMER OF A MUNICIPALITY  
14 THAT PROVIDES WATER OR SEWERAGE SERVICE IS NOT RESPONSIBLE FOR ANY  
15 WATER OR SEWERAGE USAGE FOR A BILLING PERIOD IF THAT WATER OR  
16 SEWERAGE USAGE IS NOT BILLED TO THAT CUSTOMER BY THE MUNICIPALITY  
17 WITHIN 10 BUSINESS DAYS AFTER THE END OF THE BILLING PERIOD.

18           (3) SUBSECTION (2) ONLY APPLIES IF, DURING THE PERIOD IN WHICH  
19 THE CUSTOMER OF THE MUNICIPALITY THAT OWNS OR OPERATES A WATER  
20 DISTRIBUTION SYSTEM OR SEWAGE SYSTEM DOES NOT RECEIVE A WATER OR  
21 SEWERAGE BILL, THE CUSTOMER PROVIDES 2 SEPARATE WRITTEN OR  
22 ELECTRONIC NOTICES TO THE MUNICIPALITY ABOUT THE FAILURE TO RECEIVE  
23 A WATER OR SEWERAGE BILL AND THE MUNICIPALITY FAILS TO RESPOND TO  
24 THE CUSTOMER'S FIRST WRITTEN OR ELECTRONIC NOTICE WITHIN 30 DAYS OF  
25 RECEIPT OF THAT NOTICE.

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