

# HOUSE BILL No. 4712

June 7, 2017, Introduced by Reps. Garrett, Chang, Pagan, Yanez, Hammoud, Neeley, Wittenberg, Moss, Sneller, Phelps, Geiss, Hoadley, Gay-Dagnogo, LaGrand, Ellison, Canfield, Chirkun, Faris, Love and Peterson 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:**

Sec. 1. As used in this act:

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

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

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

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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) REGARDLESS OF WHETHER A CUSTOMER'S ACCOUNT FOR  
6 WATER OR SEWERAGE SERVICE IS CURRENT OR DELINQUENT, A MUNICIPALITY  
7 THAT OWNS OR OPERATES A WATER DISTRIBUTION SYSTEM OR A SEWAGE  
8 SYSTEM AND THAT PROVIDES WATER OR SEWERAGE SERVICE IN THIS STATE  
9 SHALL BILL EACH CUSTOMER OF THE SYSTEM ON A REGULAR BASIS THAT DOES  
10 NOT EXCEED EVERY 60 DAYS AS DETERMINED BY THE CITY.

11       (2) A MUNICIPALITY THAT OWNS OR OPERATES A WATER DISTRIBUTION  
12 SYSTEM OR A SEWAGE SYSTEM AND THAT PROVIDES WATER OR SEWERAGE  
13 SERVICE IN THIS STATE SHALL INCLUDE ON EACH CUSTOMER'S WATER OR  
14 SEWERAGE BILL BOTH OF THE FOLLOWING:

15       (A) THE WATER OR SEWERAGE RATES CHARGED TO THE CUSTOMER FOR  
16 THE BILLING PERIOD.

17       (B) THE ACTUAL WATER OR SEWERAGE USAGE BY THE CUSTOMER FOR THE  
18 BILLING PERIOD.

19       (3) SUBJECT TO SUBSECTION (4), A CUSTOMER OF A MUNICIPALITY  
20 THAT PROVIDES WATER OR SEWERAGE SERVICE IS NOT RESPONSIBLE FOR ANY  
21 WATER OR SEWERAGE USAGE FOR A BILLING PERIOD IF THAT WATER OR  
22 SEWERAGE USAGE IS NOT BILLED TO THAT CUSTOMER BY THE MUNICIPALITY  
23 WITHIN 10 BUSINESS DAYS AFTER THE END OF THE BILLING PERIOD.

24       (4) SUBSECTION (3) ONLY APPLIES IF, DURING THE PERIOD IN WHICH  
25 THE CUSTOMER OF THE MUNICIPALITY THAT OWNS OR OPERATES A WATER  
26 DISTRIBUTION SYSTEM OR SEWAGE SYSTEM DOES NOT RECEIVE A WATER OR  
27 SEWERAGE BILL, THE CUSTOMER PROVIDES 2 SEPARATE WRITTEN OR

1 ELECTRONIC NOTICES TO THE MUNICIPALITY ABOUT THE FAILURE TO RECEIVE  
2 A WATER OR SEWERAGE BILL AND THE MUNICIPALITY FAILS TO RESPOND TO  
3 THE CUSTOMER'S FIRST WRITTEN OR ELECTRONIC NOTICE WITHIN 30 DAYS OF  
4 RECEIPT OF THAT NOTICE.

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