

**SUBSTITUTE FOR
HOUSE BILL NO. 5595**

A bill to prohibit certain public entities from entering into certain contracts with certain entities that remove or abate asbestos; to require certain entities to disclose certain information when bidding on certain contracts with public entities; and to impose certain duties and responsibilities on certain public entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "public entity asbestos removal disclosure act".

3 Sec. 3. As used in this act:

4 (a) "Asbestos" means a group of naturally occurring minerals
5 that separate into fibers, including chrysotile, amosite,
6 crocidolite, anthophyllite, tremolite, and actinolite.

7 (b) "Asbestos abatement contractor" means a business entity

1 that is licensed under the asbestos abatement contractors licensing
2 act, 1986 PA 135, MCL 338.3101 to 338.3319, and that carries on the
3 business of asbestos abatement on the premises of another business
4 entity and not on the asbestos abatement contractor's premises.
5 Asbestos abatement contractor includes an individual or person with
6 an ownership interest in a business entity described in this
7 subdivision.

8 (c) "Asbestos abatement project" means any activity involving
9 persons working directly with the demolition, renovation, or
10 encapsulation of friable asbestos materials.

11 (d) "Public entity" means this state or an agency or authority
12 of this state, school district, community college district,
13 intermediate school district, city, village, township, county, land
14 bank, public authority, or public airport authority.

15 Sec. 5. (1) A public entity shall not enter into an asbestos
16 abatement project with an asbestos abatement contractor or a
17 general contractor that contracts with an asbestos abatement
18 contractor for the abatement of asbestos unless the asbestos
19 abatement contractor seeking to bid on the asbestos abatement
20 project, before entering into a contract with the public entity,
21 files an affidavit describing any criminal convictions relating to
22 compliance with environmental laws or regulations and any violation
23 notices of environmental laws or regulations, or whether it is
24 subject to an administrative order or consent judgment within the
25 immediately preceding 5 years.

26 (2) If an asbestos abatement contractor enters into a contract
27 with a public entity for an asbestos abatement project, the

1 asbestos abatement contractor shall not enter into a contract with
2 another asbestos abatement contractor unless that asbestos
3 abatement contractor files an affidavit described in subsection
4 (1).