

# SENATE BILL NO. 400

August 20, 2019, Introduced by Senators HERTEL, ANANICH, BRINKS and MCMORROW and referred to the Committee on Environmental Quality.

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 **annually notify the customer that his or her residence is served by**  
4 **a lead service line. The notice must contain all of the following:**

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

2 (b) Advice on the household use of water, including any  
3 flushing instructions.

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

5 (2) If the owner of a residence is notified under subsection  
6 (1) that the residence is served by a lead service line and if any  
7 part of the residence is used as a rental unit, the owner shall  
8 disclose the existence of the lead service line to the tenant in  
9 the rental agreement for that rental unit or in a separate  
10 disclosure statement provided for in subsection (3). If a notice  
11 provided under subsection (1) indicates a material change from the  
12 disclosure previously provided in the rental agreement or separate  
13 disclosure statement, the owner of the residence shall notify the  
14 tenant of the change.

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

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

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

27 (2) A law enforcement officer may issue and serve an  
28 appearance ticket upon a person for a minor offense pursuant to  
29 sections 9c to 9g of chapter IV of the code of criminal procedure,

1 1927 PA 175, MCL 764.9c to 764.9g.

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

8 (4) ~~(3)~~As used in this section: ~~,"minor~~

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

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