

HOUSE BILL No. 6059

September 19, 1990, Introduced by Reps. Weeks, Kulchitsky, Varga, Gire, Hart and Wartner and referred to the Committee on Judiciary.

A bill to amend Act No. 236 of the Public Acts of 1961,
entitled as amended

"Revised judicature act of 1961,"

as amended, being sections 600.101 to 600.9947 of the Michigan
Compiled Laws, by adding section 2955.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 236 of the Public Acts of 1961, as
2 amended, being sections 600.101 to 600.9947 of the Michigan
3 Compiled Laws, is amended by adding section 2955 to read as
4 follows:

5 SEC. 2955. (1) A REAL ESTATE BROKER SHALL NOT BE LIABLE FOR
6 INJURY OCCASIONED BY THE NEGLIGENCE OF A REAL ESTATE
7 SALESPERSON.

1 (2) AN ACTION SHALL NOT BE BROUGHT AGAINST A REAL ESTATE
2 BROKER, A REAL ESTATE SALESPERSON, OR AN ASSOCIATE BROKER FOR
3 FAILURE TO DISCLOSE TO A PURCHASER OR LESSEE OF REAL PROPERTY
4 EITHER OR BOTH OF THE FOLLOWING CIRCUMSTANCES:

5 (A) A FORMER OCCUPANT IS OR IS SUSPECTED OF BEING INFECTED
6 WITH HIV OR ANY DISEASE OR AFFLICTION DETERMINED BY MEDICAL EVI-
7 DENCE TO BE UNLIKELY TO BE TRANSMITTED THROUGH THE OCCUPANCY OF
8 REAL PROPERTY.

9 (B) THE REAL PROPERTY WAS OR WAS SUSPECTED TO HAVE BEEN THE
10 SITE OF A HOMICIDE, SUICIDE, OR OTHER OCCURRENCE PROHIBITED BY
11 LAW WHICH HAD NO MATERIAL EFFECT ON THE CONDITION OF THE REAL
12 PROPERTY OR IMPROVEMENTS LOCATED ON THE REAL PROPERTY.

13 (3) AS USED IN THIS SECTION:

14 (A) "REAL ESTATE BROKER" MEANS THAT TERM AS DEFINED IN
15 SECTION 2501(A) OF THE OCCUPATIONAL CODE, ACT NO. 299 OF THE
16 PUBLIC ACTS OF 1980, BEING SECTION 339.2501 OF THE MICHIGAN
17 COMPILED LAWS.

18 (B) "REAL ESTATE SALESPERSON" MEANS THAT TERM AS DEFINED IN
19 SECTION 2501(B) OF ACT NO. 299 OF THE PUBLIC ACTS OF 1980, BEING
20 SECTION 339.2501 OF THE MICHIGAN COMPILED LAWS.