

HOUSE BILL No. 5964

April 9, 2008, Introduced by Rep. Young and referred to the Committee on Government Operations.

A bill to amend 1984 PA 431, entitled
"The management and budget act,"
(MCL 18.1101 to 18.1594) by adding section 237d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 237D. (1) UNLESS A LAW OF THIS STATE PROVIDES OTHERWISE,
2 THIS STATE SHALL CONSTRUCT AND MAINTAIN A FACILITY IN COMPLIANCE
3 WITH APPLICABLE BUILDING CODES OF A UNIT OF LOCAL GOVERNMENT IN
4 WHICH THE FACILITY IS LOCATED.

5 (2) A UNIT OF LOCAL GOVERNMENT MAY, AS ALLOWED BY ORDINANCE,
6 ISSUE AN ORDER TO THIS STATE TO, AT THE EXPENSE OF THIS STATE,
7 CORRECT OR REMOVE A FACILITY OR CONDITION OF A FACILITY THAT
8 VIOLATES A BUILDING CODE APPLICABLE TO THE FACILITY UNDER
9 SUBSECTION (1).

1 (3) IF THIS STATE DOES NOT COMPLY WITH AN ORDER ISSUED UNDER
2 SUBSECTION (2), THE UNIT OF LOCAL GOVERNMENT MAY COMMENCE A COURT
3 ACTION TO ENFORCE THE ORDER. IF THE COURT FINDS THAT THE FACILITY
4 OR CONDITION IS IN VIOLATION OF A BUILDING CODE APPLICABLE TO THE
5 FACILITY UNDER SUBSECTION (1), THE COURT MAY ORDER THE CORRECTION
6 OR REMOVAL OF THE CONDITION OR FACILITY AT THE EXPENSE OF THIS
7 STATE.

8 (4) IF THIS STATE FAILS TO COMPLY WITH A COURT ORDER ISSUED
9 UNDER SUBSECTION (3), THE UNIT OF LOCAL GOVERNMENT MAY HAVE THE
10 ORDER EXECUTED AND THE AMOUNT OF THE EXPENSES INCURRED BY THE UNIT
11 OF LOCAL GOVERNMENT IN DOING SO SHALL BE A LIEN AGAINST THE
12 FACILITY PROPERTY. THE UNIT OF LOCAL GOVERNMENT MAY ENFORCE THE
13 LIEN IN THE SAME MANNER AS PROVIDED BY LAW FOR THE FORECLOSURE OF
14 MORTGAGE LIENS ON REAL PROPERTY.