



# HOUSE BILL No. 5134

November 10, 1999, Introduced by Rep. Schermesser and referred to the Committee on Constitutional Law and Ethics.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending section 3805 (MCL 600.3805).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 3805. (1) The attorney general of the state of  
2 Michigan ~~—~~ OR the prosecuting attorney or any citizen of the  
3 county ~~—~~ may maintain an action for equitable relief in the  
4 name of the state of Michigan, upon the relation of ~~such~~ THE  
5 attorney general, prosecuting attorney, or citizen to abate  
6 ~~said~~ THE nuisance and to perpetually enjoin ~~any person, his~~ A  
7 PERSON OR HIS OR HER servant, agent, or employee, who ~~shall own,~~  
8 ~~lease, conduct or maintain such~~ OWNS, LEASES, CONDUCTS, OR MAIN-  
9 TAINS A building, vehicle, boat, aircraft, or place ~~—~~ DESCRIBED  
10 IN SECTION 3801 from permitting or suffering ~~such~~ THAT  
11 building, vehicle, boat, or aircraft or place owned, leased,

1 conducted, or maintained by him OR HER, or any other building,  
2 vehicle, boat, aircraft or place conducted or maintained by him  
3 OR HER, to be used for any of the purposes PROSCRIBED, or by any  
4 of the persons ~~set forth~~ DESCRIBED, in section 3801 —, or for  
5 any of the acts enumerated in ~~said~~ section 3801. When the  
6 injunction has been granted, it shall be binding on the defendant  
7 throughout the judicial circuit in which it was issued.

8       (2) A PRIVATE CITIZEN OF THE COUNTY WHO BRINGS AN ACTION TO  
9 ABATE A NUISANCE UNDER THIS CHAPTER, AND IN WHOSE FAVOR THE COURT  
10 RENDERS AN ORDER OR JUDGMENT, MAY BE AWARDED HIS OR HER REASON-  
11 ABLE ATTORNEY FEE FOR THE PROSECUTION OF THE ACTION.