

HOUSE BILL No. 4736

June 14, 2011, Introduced by Reps. Brown, Lipton, Tlaib, Irwin, Bauer and Meadows and referred to the Committee on Judiciary.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 20126b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 20126B. (1) IF GROUNDWATER IN THE VICINITY OF A WELL USED
2 FOR HYDRAULIC FRACTURING IS DETERMINED TO CONTAIN 1 OR MORE
3 HAZARDOUS SUBSTANCES THAT WERE INJECTED INTO THAT WELL WHILE
4 CONDUCTING HYDRAULIC FRACTURING, THERE IS A REBUTTABLE PRESUMPTION
5 THAT THE PERSON CONDUCTING THE HYDRAULIC FRACTURING IS LIABLE UNDER
6 SECTION 20126 FOR THE CONTAMINATION PRESENT IN THE GROUNDWATER.

7 (2) AS USED IN THIS SECTION, "HYDRAULIC FRACTURING" MEANS
8 FLUID-DRIVEN FRACTURING OF ROCK FOR THE PURPOSE OF STIMULATING
9 NATURAL GAS OR OIL PRODUCTION.