

# HOUSE BILL No. 4937

October 6, 2015, Introduced by Reps. Johnson, Glenn, Graves, Cole, Franz, Chatfield, Kelly, Lane, Vaupel and Howrylak and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding section 1513.

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

1           SEC. 1513. (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
2 ACT, BUT SUBJECT TO SUBSECTION (2), A LOCAL UNIT OF GOVERNMENT IS  
3 NOT SUBJECT TO A FINE FOR ANY VIOLATION OF THIS ACT OR A RULE  
4 PROMULGATED OR ORDER OR PERMIT ISSUED UNDER THIS ACT IF THE LOCAL  
5 UNIT OF GOVERNMENT NOTIFIED THE DEPARTMENT OF THE VIOLATION BEFORE  
6 THE DEPARTMENT OTHERWISE HAD KNOWLEDGE OF A POTENTIAL VIOLATION AND  
7 BEFORE THE LOCAL UNIT OF GOVERNMENT HAD REASON TO BELIEVE THAT THE  
8 DEPARTMENT WAS ABOUT TO OBTAIN KNOWLEDGE OF A POTENTIAL VIOLATION.

9           (2) SUBSECTION (1) DOES NOT APPLY TO A KNOWING OR INTENTIONAL  
10 VIOLATION OF THIS ACT OR A RULE PROMULGATED OR ORDER OR PERMIT  
11 ISSUED UNDER THIS ACT.

1 (3) AS USED IN THIS SECTION:

2 (A) "DEPARTMENT" MEANS THE DEPARTMENT, AGENCY, OR OFFICER  
3 AUTHORIZED BY THIS ACT TO ENFORCE A PROVISION OF THIS ACT OR A RULE  
4 PROMULGATED OR ORDER OR PERMIT ISSUED UNDER THIS ACT.

5 (B) "LOCAL UNIT OF GOVERNMENT" MEANS A COUNTY, TOWNSHIP, CITY,  
6 VILLAGE, OR SCHOOL DISTRICT OR AN AUTHORITY CREATED BY ANY OF THESE  
7 PURSUANT TO STATE LAW.

8 (C) "ORDER" DOES NOT INCLUDE A COMPLIANCE ORDER.

9 Enacting section 1. This amendatory act takes effect 90 days  
10 after the date it is enacted into law.