



**Senate Fiscal Agency**  
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**BILL ANALYSIS**



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Senate Bill 1160 (Substitute S-2 as reported)  
Sponsor: Senator George A. McManus, Jr.  
Committee: Agriculture and Forestry

### **CONTENT**

The bill would amend the Revised Judicature Act to permit an employer who provided temporary rent-free housing to recover possession of the premises by notice or summary proceedings; provide that a person who failed to vacate the premises within two days would be liable for triple damages; and establish liability of three times the actual damages or \$200, whichever was greater, for certain conduct on the property of another.

Specifically, an employer who provided a temporary employee with temporary residential premises solely as a condition or benefit of employment and who did not charge rent for the employee's temporary occupancy of the premises (other than a reasonable fee for utilities) could recover possession within two days after giving the employee written notice that his or her temporary employment was terminated. The employer also could submit an ex parte petition to a court having jurisdiction over summary proceedings. The petition would have to include an affidavit verifying, among other things, that the occupant had been served with written notice terminating his or her employment. At least two days after the notice was served, the court could enter a judgment of possession and issue a writ authorizing the sheriff to restore full possession to the employer. ("Employer" would include the owner or operator of a licensed agricultural labor camp. "Temporary employee" would mean an individual hired for less than nine consecutive months.)

A person would be liable for three times the actual damages, plus reasonable actual attorney fees, if he or she refused to vacate premises within two days after receiving written demand from an employer who provided the premises pursuant to an employment relationship or as a benefit or condition of employment; or refused to vacate premises in a licensed agricultural labor camp within two days after receiving written demand from the owner or operator to surrender possession.

Currently, a person is liable for triple damages if he or she does certain things (e.g., cuts wood, digs up sand or gravel, or takes grain), without permission, on land owned by another or on public land. Under the bill, the person would be liable for three times the actual damages or \$200, whichever was greater.

MCL 600.2919 et al.

Legislative Analyst: S. Margules

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 11-21-96

Fiscal Analyst: B. Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.