

HOUSE BILL No. 6477

November 7, 2002, Introduced by Rep. Kolb and referred to the Committee on Land Use and Environment.

A bill to require the inspection of private drinking water wells; and to prescribe the powers and duties of certain state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Certified laboratory" means a laboratory certified by
3 the department or the United States environmental protection
4 agency to conduct testing for compliance with state drinking
5 water standards.

6 (b) "Department" means the department of environmental
7 quality.

8 (c) "Lease" means an agreement to lease a parcel of residen-
9 tial property containing a well used for drinking water purposes,
10 if the water in that well is not subject to testing under the
11 safe drinking water act, 1976 PA 399, MCL 325.1001 to 325.1023.

1 (d) "State drinking water standards" means that term as it
2 is defined in section 2 of the safe drinking water act, 1976
3 PA 399, MCL 325.1002.

4 (e) "Transfer" means a transfer of any interest in real
5 estate that is subject to the seller disclosure act, 1993 PA 92,
6 MCL 565.951 to 565.966, as provided in sections 2 and 3 of the
7 seller disclosure act, 1993 PA 92, MCL 565.952 and 565.953.

8 Sec. 2. Residential property containing a private drinking
9 water well shall not be transferred or leased unless the trans-
10 feror or lessor does both of the following before the transfer or
11 lease takes place:

12 (a) Causes an inspection of the water well to be conducted
13 by a certified laboratory to determine whether the water from
14 that well complies with the state drinking water standards.

15 (b) Provides to the prospective transferee or lessee a writ-
16 ten copy of the inspection report. The written copy shall be
17 provided not later than the time prescribed for providing the
18 written disclosure statement under the seller disclosure act,
19 1993 PA 92, MCL 565.951 to 565.966, as provided in section 4 of
20 the seller disclosure act, 1993 PA 92, MCL 565.954.

21 Sec. 3. The department may promulgate rules pursuant to the
22 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
23 24.328, to implement this act.