

# HOUSE BILL No. 5430

November 8, 2007, Introduced by Rep. Sak and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

A bill to amend 1939 PA 178, entitled

"An act to provide for the collection of water or sewage system rates, assessments, charges, or rentals; and to provide a lien for water or sewage system services furnished by municipalities as defined by this act,"

by amending section 5 (MCL 123.165), as amended by 1981 PA 132.

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

1           Sec. 5. ~~The~~ (1) A lien created by this act shall, ~~after June~~  
2 ~~7, 1939, have~~ **HAS** priority over all other liens except taxes or  
3 special assessments whether or not the other liens accrued or were  
4 recorded before the accrual of the water or sewage system lien  
5 created by this act. ~~However, this~~

6           (2) **THIS** act shall ~~DOES~~ not apply if a lease **OF THE PREMISES**  
7 **OR PROPERTY, WHETHER THE LEASE IS FOR A FIXED TERM OR IS AN ESTATE**

1 ~~AT WILL OR BY SUFFERANCE,~~ has been legally executed ~~, containing a~~  
2 ~~provision~~ **THAT PROVIDES** that the lessor shall ~~IS~~ not be liable for  
3 payment of water or sewage system bills ~~accruing subsequent to the~~  
4 ~~filing of the~~ **THAT ACCRUE AFTER AN** affidavit ~~provided by~~ **IS FILED**  
5 **UNDER** this section. An affidavit ~~with respect to the execution of~~  
6 **THAT STATES THAT** a lease ~~containing this provision~~ **THAT SATISFIES**  
7 **THIS SUBSECTION HAS BEEN EXECUTED** shall be filed with the board,  
8 commission, or other official in charge of the water works system  
9 or sewage system, or both. ~~, and 20 days' notice shall be given by~~  
10 ~~the lessor of any cancellation, change in, or termination of the~~  
11 ~~lease. The~~ **IF THERE IS AN EXPIRATION DATE IN THE LEASE, THE**  
12 affidavit shall ~~contain a notation of~~ **STATE** the expiration date. ~~of~~  
13 ~~the lease.~~ **THE LESSOR SHALL GIVE 20 DAYS' NOTICE OF ANY**  
14 **CANCELLATION, CHANGE, OR TERMINATION OF THE LEASE.**