

HOUSE BILL No. 6490

September 23, 2010, Introduced by Reps. Wayne Schmidt, Lisa Brown, Haugh and Meadows and referred to the Committee on Regulatory Reform.

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 3801 (MCL 600.3801), as amended by 1988 PA 2.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3801. (1) ~~Any~~ **A** building, vehicle, boat, aircraft, or
2 place, **THE FURNITURE, FIXTURES, AND CONTENTS OF THE BUILDING,**
3 **VEHICLE, BOAT, AIRCRAFT, OR PLACE, AND ANY INTOXICATING LIQUORS IN**
4 **THE BUILDING, VEHICLE, BOAT, AIRCRAFT, OR PLACE, ARE DECLARED A**
5 **NUISANCE IF THE BUILDING, VEHICLE, BOAT, AIRCRAFT, OR PLACE IS** used
6 for **ANY OF** the ~~purpose of lewdness,~~ **FOLLOWING PURPOSES:**

7 **(A) LEWDNESS,** assignation or prostitution, ~~or gambling,~~ or **IF**
8 **IT IS** used by ~~,~~ or kept for the use of prostitutes or other
9 disorderly persons. ~~, or used for the~~

10 **(B) GAMBLING, UNLESS THE GAMBLING IS AUTHORIZED UNDER THE LAWS**

1 OF THIS STATE.

2 (C) THE unlawful manufacture, transporting, sale, keeping for
3 sale, bartering, or furnishing of any controlled substance as
4 defined in section 7104 of the public health code, ~~Act No. 368 of~~
5 ~~the Public Acts of 1978, being section 333.7104 of the Michigan~~
6 ~~Compiled Laws, 1978 PA 368, MCL 333.7104,~~ or of any vinous, malt,
7 brewed, fermented, spirituous, or intoxicating liquors or any mixed
8 liquors or beverages, any part of which is intoxicating. ~~, is~~
9 ~~declared a nuisance, and the furniture, fixtures, and contents of~~
10 ~~the building, vehicle, boat, aircraft, or place and all~~
11 ~~intoxicating liquors therein are also declared a nuisance, and all~~

12 (2) ALL controlled substances and nuisances UNDER SUBSECTION
13 (1) shall be enjoined and abated as provided in this act and as
14 provided in the court rules. ~~Any~~

15 (3) A person or ~~his or her~~ A servant, agent, or employee OF A
16 PERSON who owns, leases, conducts, or maintains ~~any~~ A building,
17 vehicle, or place used for any of the purposes or acts ~~set forth in~~
18 ~~this section~~ DESCRIBED IN SUBSECTION (1) is guilty of a nuisance.