

**SUBSTITUTE FOR
HOUSE BILL NO. 4856**

A bill to amend 1951 PA 33, entitled

"An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts,"

(MCL 41.801 to 41.813) by adding section 6b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 6B. (1) IN ADDITION TO THE POWERS PROVIDED UNDER SECTION**
2 **6A, IF A MUNICIPALITY DECLARES THAT A STATE OF EMERGENCY EXISTS IN**

1 THE MUNICIPALITY OR IF THE GOVERNOR DECLARES THAT A STATE OF
2 EMERGENCY EXISTS IN A MUNICIPALITY AS PROVIDED IN 1945 PA 302, MCL
3 10.31 TO 10.33, AND EMERGENCY AND RESCUE SERVICES ARE PROVIDED TO
4 RESCUE AN INDIVIDUAL DURING THE STATE OF EMERGENCY FOR CONDUCT BY
5 THAT INDIVIDUAL THAT IS GROSSLY NEGLIGENT, THE MUNICIPALITY MAY,
6 SUBJECT TO SECTION 6C, CHARGE THAT INDIVIDUAL FOR THE COST OF
7 PROVIDING THOSE EMERGENCY AND RESCUE SERVICES. THE MUNICIPALITY
8 SHALL PROVIDE THE PROCEDURES FOR APPEALING A CHARGE UNDER THIS
9 SECTION.

10 (2) AS USED IN THIS SECTION, "GROSSLY NEGLIGENT" MEANS CONDUCT
11 SO RECKLESS AS TO DEMONSTRATE A SUBSTANTIAL LACK OF CONCERN FOR
12 WHETHER INJURY RESULTS.

13 Enacting section 1. This amendatory act does not take effect
14 unless House Bill No. 4857 of the 97th Legislature is enacted into
15 law.