

# HOUSE BILL NO. 6196

June 09, 2022, Introduced by Reps. Allor, Steven Johnson, Tisdell, Bollin, Beeler, Calley, Meerman, Rendon, Bellino, Hoitenga, Lightner, Clements, Outman, Eisen and Alexander and referred to the Committee on Oversight.

A bill to amend 1976 PA 399, entitled  
"Safe drinking water act,"  
by amending section 15 (MCL 325.1015), as amended by 1993 PA 165.

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

1       Sec. 15. (1) When considered necessary for protection of the  
2 public health, the department shall notify a supplier of water of  
3 the need to make changes in operations, to provide treatment, to  
4 make structural changes in existing systems, or to add additional  
5 capacity as necessary to produce and distribute an adequate  
6 quantity of water meeting the state drinking water standards.

7       (2) The department shall inspect a waterworks system or a part

1 of a waterworks system, and the manner of operation of the  
 2 **waterworks** system or part. If upon inspection the department  
 3 determines the waterworks system ~~to be~~ **is** inadequate or ~~so~~ operated  
 4 **so** as to not adequately protect the public health, the department  
 5 may order the supplier of water to make alterations in the  
 6 waterworks system or its method of operation as ~~may be~~ required or  
 7 considered advisable by the department to ~~assure~~ **ensure that** the  
 8 public water supply is adequate, healthful, and in conformance with  
 9 state drinking water standards. If the supplier **of water** does not  
 10 request a public hearing within 30 days after receipt of the order,  
 11 the order ~~shall be~~ **is** final and binding on the supplier of water.  
 12 If the department receives a request for a public hearing within  
 13 the ~~specified~~ 30 days **after the receipt of the order**, the public  
 14 hearing ~~shall~~ **must** be immediately arranged. A supplier of water  
 15 shall comply with a final order of the department.

16 (3) If a public water supply poses an imminent hazard to the  
 17 public health, the department may issue an emergency order  
 18 immediately, without notice or hearing, requiring ~~such action as~~  
 19 **that** the department determines is necessary to protect the public  
 20 health. ~~Normal administrative~~ **Administrative** procedures as required  
 21 by the administrative procedures act of 1969, ~~Act No. 306 of the~~  
 22 ~~Public Acts of 1969, as amended, being sections 24.201 to 24.328 of~~  
 23 ~~the Michigan Compiled Laws, shall~~ **1969 PA 306, MCL 24.201 to**  
 24 **24.328, must** proceed concurrently with an emergency order upon  
 25 written request of the supplier of water received within 15 days.  
 26 ~~An~~ **The** emergency order ~~shall be~~ **is** effective immediately and  
 27 ~~binding until modified or rescinded by the department or a court of~~  
 28 ~~competent jurisdiction.~~ **is valid for the time period specified in**  
 29 **the order or until the order has been in effect for 28 days,**

1   whichever is sooner. After 28 days, an emergency order issued under  
2   this subsection is not valid unless a request from the department  
3   to extend the emergency order for a specific number of days is  
4   approved by a resolution of both houses of the legislature.

5       (4) The department may take appropriate action to limit water  
6   system expansion or limit water use from a public water supply  
7   until ~~such time as~~ satisfactory improvements are made in the system  
8   or operation to provide for a continuous, adequate supply of water  
9   meeting the state drinking water standards.