



**House
Legislative
Analysis
Section**

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

PUNISH ILLEGAL USE OF HOTELS

House Bill 4612

**Sponsor: Rep. Joseph Palamara
Committee: Tourism, Fisheries &
Wildlife**

Complete to 5-13-91

A SUMMARY OF HOUSE BILL 4612 AS INTRODUCED 3-21-91

The bill would amend the Penal Code to provide that if one or more persons rented or leased a room in a hotel or a bed and breakfast for certain illegal purposes, or under circumstances where one person had reason to know that another person would use the room for such purposes, the person(s) would be guilty of a misdemeanor and could be punished by up to 90 days in prison, sentenced to perform community service, or fined up to \$500, or any combination of these. This provision would apply to the following activities:

- * use or possession of a controlled substance in violation of the Public Health Code or a similar local ordinance;
- * consumption or possession of alcoholic liquor in violation of a section in the Michigan Liquor Control Act which prohibits use of alcohol by minors; or
- * committing a violation of the Penal Code which resulted in damage to the room or its furnishings.

In a case involving damage to a room, a court could order a person to pay restitution which could include the reasonable loss of revenue that resulted from not being able to rent the room while it was being repaired. Also, when damage to a room occurred the court would have to dismiss a criminal action for the violation if the defendant paid restitution allowable under the bill, as demanded by the room's owner or operator. The owner or operator of the hotel or bed and breakfast would have to post a copy of the bill's provisions in a conspicuous place adjacent to the site of registration for a room or inside the room itself. A law enforcement agency that received written or oral notification of such violations would have to respond when notified.

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