



**House
Legislative
Analysis
Section**

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6486

PENALTIES FOR LITTERING

House Bills 5264-5265

Sponsor: Rep. David Anthony

**Committee: Conservation,
Recreation and Environment**

Complete to 5-8-92

A SUMMARY OF HOUSE BILLS 5264-5265 AS INTRODUCED 4-30-92

Currently, a violation of Public Act 106 of 1963 (MCL 752.903), which prescribes penalties for the littering of public and private property and waters, is a misdemeanor, punishable by a fine of up to \$400 and court costs, imprisonment for up to 90 days in the county jail, or both. Under House Bill 5264, a person who violated a criminal provision of the act would in addition be subject to the forfeiture of property provisions of the Revised Judicature Act. The bill would require the following fines to be levied against a person who violated the act:

--A violation involving an amount of litter of less than one cubic foot in volume would be subject to a civil fine of up to \$600.

--A violation where the amount of litter was one cubic foot or greater in volume would incur a civil fine of up to \$800. In addition, the violator would also be subject to the forfeiture of property provisions of the Revised Judicature Act.

--A default in the payment of a civil fine or costs would be subject to any of the remedies authorized under the Revised Judicature Act.

House Bill 5265 would amend the Revised Judicature Act (MCL 600.4701 et al.) to specify that littering, a misdemeanor under Public Act 106 of 1963, would be considered a civil offense under the judicature act for purposes of making that violation subject to property forfeiture provisions.

House Bills 5264-5265 (5-8-92)