

Act No. 56
Public Acts of 1991
Approved by the Governor
June 27, 1991
Filed with the Secretary of State
June 27, 1991

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1991**

Introduced by Reps. Palamara, Profit, DeMars, Olshove, Berman, Hertel, Dobronski, Sparks, Law, Porreca, DeBeaussaert, Pitoniak and Richard A. Young
Reps. Barns, Bartnik, Gire, Gnodtke, Hunter, Jaye, Keith, Kosteva, Leland, McBryde, Nye, Scott, Varga, Weeks and Wozniak named co-sponsors

ENROLLED HOUSE BILL No. 4612

AN ACT to amend the title of Act No. 328 of the Public Acts of 1931, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," as amended, being sections 750.1 to 750.568 of the Michigan Compiled Laws; and to add section 411g.

The People of the State of Michigan enact:

Section 1. The title of Act No. 328 of the Public Acts of 1931, as amended, being sections 750.1 to 750.568 of the Michigan Compiled Laws, is amended and section 411g is added to read as follows:

TITLE

An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.

Sec. 411g. (1) As used in this section:

(a) "Bed and breakfast" means that term as defined in section 12901 of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.12901 of the Michigan Compiled Laws.

(b) "Hotel" means that term as defined in section 1 of Act No. 188 of the Public Acts of 1913, being section 427.1 of the Michigan Compiled Laws.

(2) An individual or group that does 1 or more of the following on the premises or property of a hotel or bed and breakfast, or an individual or group that rents or leases a hotel room or bed and breakfast room with reason to know that another individual or group will do 1 or more of the following on the premises or property of a hotel or bed and breakfast, is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, community service, or by a fine of not more than \$500.00, or a combination of any of these punishments:

(a) Uses or possesses a controlled substance in violation of section 7403 or 7404 of the public health code, Act No. 368 of the Public Acts of 1978, being sections 333.7403 and 333.7404 of the Michigan Compiled Laws, or a local ordinance substantially similar to those sections.

(b) Consumes or possesses alcoholic liquor in violation of section 33b of the Michigan liquor control act, Act No. 8 of the Public Acts of the Extra Session of 1933, being section 436.33b of the Michigan Compiled Laws, or a local ordinance substantially similar to that section.

(c) Commits a violation of this section resulting in damage to the room or its furnishings.

(3) In a case involving damage to the room, a court may order the individual to pay restitution which may include the reasonable loss of revenue resulting from the inability to rent or lease the room during the period of time the room is being repaired.

(4) The owner or operator of the hotel or bed and breakfast shall post a copy of this section in a conspicuous place adjacent to the site of registration for a room or inside the room.

(5) This section does not prohibit the prosecution of an individual for the underlying violation which occurred on the premises or property of the hotel or bed and breakfast.

Section 2. This amendatory act shall take effect January 1, 1992.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved

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Governor.