

HOUSE BILL No. 4081

February 5, 1991, Introduced by Reps. Banks, McBryde, Martin, Willis Bullard and Horton and referred to the Committee on Judiciary.

A bill to amend Act No. 236 of the Public Acts of 1961, entitled as amended "Revised judicature act of 1961," as amended, being sections 600.101 to 600.9947 of the Michigan Compiled Laws, by adding section 2954.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 236 of the Public Acts of 1961, as
2 amended, being sections 600.101 to 600.9947 of the Michigan
3 Compiled Laws, is amended by adding section 2954 to read as
4 follows:

5 SEC. 2954. (1) IN ADDITION TO ANY PENAL SANCTION, A PERSON
6 WHO IS CONVICTED OF ANY OF THE FOLLOWING OFFENSES SHALL BE LIABLE
7 TO THE STATE OR A LOCAL UNIT OF GOVERNMENT FOR THE EXPENSE OF AN
8 EMERGENCY RESPONSE TO THE INCIDENT FROM WHICH THE CONVICTION
9 AROSE:

1 (A) A VIOLATION OF SECTION 625(1) OR (2) OR SECTION 625B OF
2 THE MICHIGAN VEHICLE CODE, ACT NO. 300 OF THE PUBLIC ACTS OF
3 1949, BEING SECTIONS 257.625 AND 257.625B OF THE MICHIGAN
4 COMPILED LAWS, OR OF A LOCAL ORDINANCE SUBSTANTIALLY CORRESPOND-
5 ING TO SECTION 625(1) OR (2) OR SECTION 625B OF ACT NO. 300 OF
6 THE PUBLIC ACTS OF 1949.

7 (B) FELONIOUS DRIVING, NEGLIGENT HOMICIDE, OR MANSLAUGHTER,
8 RESULTING FROM THE OPERATION OF A MOTOR VEHICLE, AIRCRAFT, OR
9 VESSEL WHILE THE PERSON WAS IMPAIRED BY OR UNDER THE INFLUENCE OF
10 INTOXICATING LIQUOR OR A CONTROLLED SUBSTANCE, AS DEFINED IN SEC-
11 TION 7104 OF THE PUBLIC HEALTH CODE, ACT NO. 368 OF THE PUBLIC
12 ACTS OF 1978, BEING SECTION 333.7104 OF THE MICHIGAN COMPILED
13 LAWS, OR A COMBINATION OF INTOXICATING LIQUOR AND A CONTROLLED
14 SUBSTANCE, OR HAD AN UNLAWFUL BLOOD ALCOHOL CONTENT.

15 (C) A VIOLATION OF SECTION 185 OR 186 OF THE AERONAUTICS
16 CODE OF THE STATE OF MICHIGAN, ACT NO. 327 OF THE PUBLIC ACTS OF
17 1945, BEING SECTIONS 259.185 AND 259.186 OF THE MICHIGAN COMPILED
18 LAWS.

19 (D) A VIOLATION OF SECTION 73 OR 73B OF THE MARINE SAFETY
20 ACT, ACT NO. 303 OF THE PUBLIC ACTS OF 1967, BEING SECTIONS
21 281.1073 AND 281.1073B OF THE MICHIGAN COMPILED LAWS.

22 (2) COMMENCING AT THE TIME OF A PERSON'S CONVICTION, THE
23 AMOUNT FOR WHICH A PERSON IS LIABLE UNDER THIS SECTION SHALL CON-
24 STITUTE A DEBT OF THE PERSON TO THE STATE OR LOCAL UNIT OF
25 GOVERNMENT. THE AMOUNT FOR WHICH A PERSON IS LIABLE UNDER THIS
26 SECTION SHALL NOT EXCEED \$1,000.00 FOR A PARTICULAR INCIDENT.

1 (3) AS USED IN THIS SECTION:

2 (A) "EXPENSE OF AN EMERGENCY RESPONSE" MEANS THE REASONABLE
3 COSTS INCURRED BY THE STATE OR THE LOCAL UNIT OF GOVERNMENT IN
4 MAKING AN APPROPRIATE RESPONSE TO THE INCIDENT, INCLUDING THE
5 COSTS OF PROVIDING POLICE, FIRE FIGHTING, RESCUE, AND EMERGENCY
6 MEDICAL SERVICES AT THE SCENE OF THE INCIDENT, AS WELL AS THE
7 SALARIES OF THE PERSONNEL RESPONDING TO THE INCIDENT.

8 (B) "LOCAL UNIT OF GOVERNMENT" MEANS A CITY, VILLAGE, TOWN-
9 SHIP, OR COUNTY.