

HOUSE BILL No. 5391

December 11, 1991, Introduced by Reps. Joe Young, Jr., Leland, Clack, Bennane, McBryde, Joe Young, Sr., Harrison, Wallace, Murphy, Kilpatrick, Varga, Clarke, Wozniak and Kosteva and referred to the Committee on State Affairs.

A bill to amend the title of Act No. 106 of the Public Acts of 1963, entitled

"An act to define, control and prohibit the littering of public and private property and waters; to prescribe penalties for violation of this act; and to repeal certain acts and parts of acts,"

as amended, being sections 752.901 to 752.906 of the Michigan Compiled Laws; and to add section 3b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title of Act No. 106 of the Public Acts of
2 1963, as amended, being sections 752.901 to 752.906 of the
3 Michigan Compiled Laws, is amended and section 3b is added to
4 read as follows:

TITLE

5
6 An act to define, control, and prohibit the littering of
7 public and private property and waters; to prescribe penalties

1 ~~for violation of this act~~ AND PROVIDE REMEDIES; and to repeal
2 certain acts and parts of acts.

3 SEC. 3B. (1) A PERSON WHO VIOLATES THIS ACT IS SUBJECT TO A
4 CIVIL ACTION AS PROVIDED IN THIS SECTION REGARDLESS OF WHETHER A
5 CRIMINAL ACTION WAS BROUGHT UNDER THIS ACT.

6 (2) A PERSON MAY BRING A CIVIL ACTION AGAINST A PERSON WHO
7 VIOLATES THIS ACT FOR DAMAGES OR EQUITABLE RELIEF, OR BOTH. A
8 PERSON MAY SEEK A COURT ORDER TO COMPEL A PERSON TO REMOVE THE
9 LITTER THAT IS THE SUBJECT OF THE VIOLATION AND PROPERLY DISPOSE
10 OF IT.

11 (3) THE COURT MAY AWARD A PLAINTIFF WHO PREVAILS IN AN
12 ACTION FILED UNDER THIS SECTION REASONABLE ATTORNEY FEES AND
13 COSTS.