

Act No. 18  
Public Acts of 1994  
Approved by the Governor  
February 23, 1994  
Filed with the Secretary of State  
February 24, 1994

**STATE OF MICHIGAN  
87TH LEGISLATURE  
REGULAR SESSION OF 1994**

Introduced by Senator Conroy

# **ENROLLED SENATE BILL No. 737**

AN ACT to amend section 11 of Act No 156 of the Public Acts of 1851 entitled as amended An act to define the powers and duties of the county boards of commissioners of the several counties and to confer upon them certain local administrative and legislative powers and to prescribe penalties for the violation of the provisions of this act as amended by Act No 227 of the Public Acts of 1988 being section 46 11 of the Michigan Compiled Laws and to add section 10b

*The People of the State of Michigan enact*

Section 1 Section 11 of Act No 156 of the Public Acts of 1851 as amended by Act No 227 of the Public Acts of 1988 being section 46 11 of the Michigan Compiled Laws is amended and section 10b is added to read as follows

Sec 10b (1) Except for an ordinance described in subsection (2) (3) or (4) the violation of an ordinance adopted pursuant to section 11(m) shall be punishable by a fine of not more than \$500 00 or imprisonment for not more than 90 days or both

(2) Consistent with Act No 58 of the Public Acts of 1945 being section 46 201 of the Michigan Compiled Laws the county board of commissioners may adopt an ordinance that designates a violation of the ordinance as a civil infraction and provides a civil fine for that violation

(3) Consistent with the marine safety act Act No 303 of the Public Acts of 1967 being sections 281 1001 to 281 1199 of the Michigan Compiled Laws the county board of commissioners may adopt an ordinance that designates a violation of the ordinance as a marine law civil infraction and provides a civil fine for that violation This subsection does not apply unless House Bill No 4639 of the 87th Legislature is enacted into law

(4) The county board of commissioners may adopt an ordinance that designates a violation of the ordinance as a municipal civil infraction and provides a civil fine for that violation An ordinance may not designate a violation as a municipal civil infraction if that violation may be designated as a civil infraction under subsection (2) or as a marine law civil infraction under subsection (3) A statute may provide that a violation of a specific type of ordinance is a municipal civil infraction whether or not the ordinance designates the violation as a municipal civil infraction

(5) An ordinance shall not make an act or omission a municipal civil infraction if that act or omission constitutes a crime under any of the following

(a) Article 7 or section 17766a of the public health code Act No 368 of the Public Acts of 1978 being sections 333 7101 to 333 7545 and 333 17766a of the Michigan Compiled Laws

(b) The Michigan penal code Act No 328 of the Public Acts of 1931 being sections 750 1 to 750 568 of the Michigan Compiled Laws

This act is ordered to take immediate effect

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor