



SENATE BILL No. 739

August 31, 1993, Introduced by Senator CONROY and referred to the Committee on Judiciary.

A bill to amend the title of Act No. 293 of the Public Acts of 1966, entitled as amended

"An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; and to prescribe the mandatory and permissive provisions of a charter,"

as amended, being sections 45.501 to 45.521 of the Michigan Compiled Laws; and to add section 15a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title of Act No. 293 of the Public Acts of
2 1966, as amended, being sections 45.501 to 45.521 of the Michigan
3 Compiled Laws, is amended and section 15a is added to read as
4 follows:

TITLE

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An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; ~~and~~ to prescribe the mandatory and permissive provisions of a charter; AND TO PROVIDE FOR THE EXERCISE BY A CHARTER COUNTY OF CERTAIN POWERS WHETHER OR NOT AUTHORIZED BY ITS CHARTER.

SEC. 15A. (1) WHETHER OR NOT AUTHORIZED BY THE COUNTY CHARTER, THE COUNTY BOARD OF COMMISSIONERS OF A CHARTER COUNTY MAY MAKE A VIOLATION OF AN ORDINANCE A MUNICIPAL CIVIL INFRACTION. A VIOLATION OF AN ORDINANCE IS A MUNICIPAL CIVIL INFRACTION ONLY IF THE ORDINANCE EXPLICITLY STATES THAT A VIOLATION IS A MUNICIPAL CIVIL INFRACTION. 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.

(C) ACT NO. 158 OF THE PUBLIC ACTS OF 1966, BEING SECTIONS 752.11 TO 752.12 OF THE MICHIGAN COMPILED LAWS.

(D) SECTION 1 OF ACT NO. 70 OF THE PUBLIC ACTS OF 1877, BEING SECTION 752.21 OF THE MICHIGAN COMPILED LAWS.

1 (E) ACT NO. 119 OF THE PUBLIC ACTS OF 1967, BEING
2 SECTIONS 752.271 TO 752.274 OF THE MICHIGAN COMPILED LAWS.

3 (F) SECTION 25 OF CHAPTER 158 OF THE REVISED STATUTES OF
4 1846, BEING SECTION 752.525 OF THE MICHIGAN COMPILED LAWS.

5 (G) SECTION 2 OF ACT NO. 26 OF THE PUBLIC ACTS OF 1970,
6 BEING SECTION 752.582 OF THE MICHIGAN COMPILED LAWS.

7 (H) SECTION 5 OF ACT NO. 105 OF THE PUBLIC ACTS OF 1951,
8 BEING SECTION 752.825 OF THE MICHIGAN COMPILED LAWS.

9 (I) ACT NO. 10 OF THE PUBLIC ACTS OF 1952, BEING
10 SECTIONS 752.841 TO 752.845 OF THE MICHIGAN COMPILED LAWS.

11 (J) SECTION 1 OF ACT NO. 45 OF THE PUBLIC ACTS OF 1952,
12 BEING SECTION 752.861 OF THE MICHIGAN COMPILED LAWS.

13 (K) SECTION 1 OF ACT NO. 81 OF THE PUBLIC ACTS OF 1954,
14 BEING SECTION 752.881 OF THE MICHIGAN COMPILED LAWS.

15 (1) SECTION 3A OF ACT NO. 106 OF THE PUBLIC ACTS OF 1963,
16 BEING SECTION 752.903A OF THE MICHIGAN COMPILED LAWS.

17 (2) IF A VIOLATION OF AN ORDINANCE IS A MUNICIPAL CIVIL
18 INFRACTION, THE ORDINANCE MAY PROVIDE A CIVIL FINE FOR ITS
19 VIOLATION.

20 (3) AS USED IN THIS SECTION, "MUNICIPAL CIVIL INFRACTION"
21 MEANS THAT TERM AS DEFINED IN SECTION 113 OF THE REVISED JUDICA-
22 TURE ACT OF 1961, ACT NO. 236 OF THE PUBLIC ACTS OF 1961, BEING
23 SECTION 600.113 OF THE MICHIGAN COMPILED LAWS.

24 Section 2. This amendatory act shall not take effect unless
25 Senate Bill No. 731

26 of the 87th Legislature is enacted into law.