



**Senate Fiscal Agency**  
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BILL



ANALYSIS

**Telephone: (517) 373-5383**  
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Senate Bill 667 (as enrolled)  
Sponsor: Senator George Z. Hart  
Senate Committee: Local, Urban and State Affairs  
House Committee: Local Affairs

**PUBLIC ACT 179 of 1996**

Date Completed: 7-3-96

**RATIONALE**

A package of bills enacted early in 1994 provides for the enforcement and adjudication of "municipal civil infractions" by local units of government. The bills allow local units to adopt an ordinance designating a violation of the ordinance as a municipal civil infraction, and to adopt ordinances consistent with specific statutes (such as the Michigan Vehicle Code) and designate a violation as a civil infraction. The legislation also authorizes local units to impose civil fines for infractions. This package included Senate Bill 736 (Public Act 17 of 1994), which made these changes in the Home Rule City Act, and permitted civil infraction fines to exceed the Act's maximum \$500 fine for city ordinance violations. Later in 1994, another package of bills was enacted to permit cities, villages, and townships to regulate or prohibit the public display of a female's breast. One of those bills, Senate Bill 107 (Public Act 313 of 1994), amended the Home Rule City Act. That bill, however, failed to include language added by Public Act 17 making an exception for civil infractions to the Act's maximum fine provision. As a result, violations designated as civil infractions, or municipal civil infractions, by a home rule city became subject to the \$500 maximum fine. Since this change apparently was the result of an inadvertent drafting error, it was suggested that the exception for civil infraction fines be reinstated.

**CONTENT**

The bill amended the Home Rule City Act to make an exception to the \$500 maximum penalty specified in the Act for ordinance violations. The exception applies to a violation designated as a municipal civil infraction, or a civil infraction violation of an ordinance adopted consistent with any of the following statutes: the Michigan Vehicle

Code; Public Act 235 of 1969, which authorizes local governments to regulate traffic in parking areas; Public Act 62 of 1956, which authorizes a city, township, or village to adopt the Uniform Traffic Code; or the Marine Safety Act.

MCL 117.4i

**ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

**Supporting Argument**

The bill simply restores to the Home Rule City Act a provision mistakenly deleted by Public Act 313 of 1994. The bill once again allows a home rule city to impose a fine over \$500 for a civil infraction or a municipal civil infraction.

Legislative Analyst: S. Margules

**FISCAL IMPACT**

The bill will have no fiscal impact on State or local government.

Fiscal Analyst: R. Ross

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.