

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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House Bill 4382 (Substitute S-1 as reported)  
Sponsor: Representative David Anthony  
First House Committee: Conservation, Environment and Recreation  
Second House Committee: Forestry and Mineral Rights  
Senate Committee: Natural Resources and Environmental Affairs

### **CONTENT**

The bill would amend Part 89 (Littering) of the Natural Resources and Environmental Protection Act to reenact several sections concerning penalties for littering violations, which were subject to a December 31, 1997, sunset date.

The bill also would delete the Act's provision that littering is a misdemeanor, subject to a minimum fine of \$100 and a maximum fine of \$500, and/or imprisonment for up to 90 days. The bill, however, would retain the provision that the court must impose community service in the form of litter-gathering labor for a violation of Part 89.

The provisions that the bill would reenact do the following:

- Provide that violations are State civil infractions subject to specific civil fines, depending upon the volume of the litter (MCL 324.8905a).
- Allow the court to order the defendant in a civil or criminal littering action to pay the cost of removing litter and/or impounding a vehicle (MCL 324.8905b).
- Allow the impoundment of a vehicle operated in the commission of a violation of Part 89 (MCL 324.8905c).

MCL 324.8904 et. al

Legislative Analyst: N. Nagata

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State or local government, dependent on the number of violations and amount of fine revenues involved. The bill would delete criminal penalties, but maintain civil fines.

Date Completed: 2-4-98

Fiscal Analyst: G. Cutler