

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4382 (as passed by the House)
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

Date Completed: 2-3-98

CONTENT

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

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 subject to the December 31, 1997, sunset date do the following:

- Provide that violations involving certain volumes of litter are State civil infractions subject to specific civil fines (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 fines, but maintain civil fines.

Fiscal Analyst: G. Cutler

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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.