

HOUSE BILL No. 6274

November 5, 1998, Introduced by Rep. Varga and referred to the Committee on Regulatory Affairs.

A bill to amend 1966 PA 293, entitled

"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; 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,"

by amending section 15a (MCL 45.515a), as amended by 1996 PA 37.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 15a. (1) Consistent with ~~Act No. 58 of the Public~~
2 ~~Acts of 1945, being section 46.201 of the Michigan Compiled Laws~~
3 1945 PA 58, MCL 46.201, and whether or not authorized by the
4 county charter, the county board of commissioners of a county
5 established under this act may adopt an ordinance that designates
6 a violation of the ordinance as a civil infraction and provides a
7 civil fine for that violation.

1 (2) Whether or not authorized by the the county charter, the
2 county board of commissioners may adopt an ordinance that desig-
3 nates a violation of the ordinance as a municipal civil infrac-
4 tion and provides a civil fine for that violation. An ordinance
5 may not designate a violation as a municipal civil infraction if
6 that violation may be designated as a civil infraction under
7 subsection (1). A statute may provide that a violation of a spe-
8 cific type of ordinance is a municipal civil infraction whether
9 or not the ordinance designates the violation as a municipal
10 civil infraction.

11 (3) An ordinance shall not make an act or omission a munici-
12 pal civil infraction if that act or omission constitutes a crime
13 under any of the following:

14 (a) Article 7 or section 17766a of the public health code,
15 ~~Act No. 368 of the Public Acts of 1978, being sections 333.7101~~
16 ~~to 333.7545 and 333.17766a of the Michigan Compiled Laws 1978 PA~~
17 ~~368, MCL 333.7101 TO 333.7545 AND 333.17766A.~~

18 (b) The Michigan penal code, ~~Act No. 328 of the Public Acts~~
19 ~~of 1931, being sections 750.1 to 750.568 of the Michigan Compiled~~
20 ~~Laws 1931 PA 328, MCL 750.1 TO 750.568.~~

21 (c) The Michigan vehicle code, ~~Act No. 300 of the Public~~
22 ~~Acts of 1949, being sections 257.1 to 257.923 of the Michigan~~
23 ~~Compiled Laws 1949 PA 300, MCL 257.1 TO 257.923.~~

24 (d) The Michigan liquor control ~~act, Act No. 8 of the~~
25 ~~Public Acts of the Extra Session of 1933, being sections 436.1 to~~
26 ~~436.58 of the Michigan Compiled Laws CODE OF 1998, 1998 PA 58,~~
27 ~~MCL 436.1101 TO 436.2303.~~

1 (e) Part 801 ~~-(marine safety)-~~ of the natural resources and
2 environmental protection act, ~~Act No. 451 of the Public Acts of~~
3 ~~1994, being sections 324.80101 to 324.80199 of the Michigan~~
4 ~~Compiled Laws~~ 1994 PA 451, MCL 324.80101 TO 324.80199.

5 (f) The aeronautics code of the state of Michigan, ~~Act~~
6 ~~No. 327 of the Public Acts of 1945, being sections 259.1 to~~
7 ~~259.208 of the Michigan Compiled Laws~~ 1945 PA 327, MCL 259.1 TO
8 259.208.

9 (g) Part 821 ~~-(snowmobiles)-~~ of ~~Act No. 451 of the Public~~
10 ~~Acts of 1994, being sections 324.82101 to 324.82159 of the~~
11 ~~Michigan Compiled Laws~~ OF THE NATURAL RESOURCES AND ENVIRONMEN-
12 TAL PROTECTION ACT, 1994 PA 451, MCL 324.82101 TO 324.82159.

13 (h) Part 811 ~~-(off-road recreation vehicles)-~~ of ~~Act No. 451~~
14 ~~of the Public Acts of 1994, being sections 324.81101 to 324.81150~~
15 ~~of the Michigan Compiled Laws~~ OF THE NATURAL RESOURCES AND ENVI-
16 RONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.81101 TO
17 324.81150.

18 (i) Sections 351 to 365 of the railroad code of 1993, ~~Act~~
19 ~~No. 354 of the Public Acts of 1993, being sections 462.351 to~~
20 ~~462.365 of the Michigan Compiled Laws~~ 1993 PA 354, MCL 462.351
21 TO 462.365.

22 (j) Any law of this state under which the act or omission is
23 punishable by imprisonment for more than 90 days.