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## ORDINANCES: 93-DAY JAIL TERM FOR CERTAIN VIOLATIONS

### House Bill 4580

Sponsor: Rep. Jennifer Faunce

### House Bill 4581

Sponsor: Rep. William O'Neil

### House Bill 4582

Sponsor: Rep. Valde Garcia

### House Bill 4583

Sponsor: Rep. Larry Julian

### House Bill 4584

Sponsor: Rep. Jim Howell

### House Bill 4585

Sponsor: Rep. Gilda Jacobs

Committee: Criminal Law and  
Corrections

Complete to 4-29-99

House Bills 4580-4585 (4-29-99)

## A SUMMARY OF HOUSE BILLS 4580-4585 AS INTRODUCED 4-27-99

The bills would amend various local government enabling statutes to allow penalties of imprisonment for up to 93 days for a violation of certain ordinances. Specifically, the bills would apply to those ordinances that substantially corresponded to a misdemeanor in the Michigan Vehicle Code with a maximum period of imprisonment of 93 days. (The maximum fine of \$500 would remain unchanged.)

House Bill 4580 would amend the Home Rule Cities Act (MCL 117.4i). House Bill 4581 would amend the Home Rule Village Act (MCL 78.24). House Bill 4582 would amend the General Law Village Act (MCL 66.2). House Bill 4583 would amend the Charter Township Act (MCL 42.21). House Bill 4584 would amend Public Act 246 of 1945 (MCL 41.183), which deals with township boards.

House Bill 4585 would amend the portion of the Liquor Control Code regarding the purchase, consumption, or possession of alcoholic liquor by minors to clarify that subsequent convictions are subject to increasing penalties. Under the current law, a first violation is a misdemeanor subject to a fine of no more than \$100 and the possibility of being ordered to participate in a substance abuse prevention or treatment program, perform community service,

and/or undergo substance abuse screening and assessment. Upon a second violation, the penalty is increased to a fine of not more than \$200, along with the other possible penalties. Upon a violation following two or more prior violations, the fine is increased to no more than \$500, along with the other possible penalties. The bill would clarify that in order to be subject to the enhanced penalties for subsequent offenses, the minor would have to have been convicted of the prior offense. Current law states that a violation that followed a prior "violation" would be subject to the enhanced penalties. In addition, the bill would remove definitions of "probate court disposition" and "work location."

The bills would take effect October 1, 1999 and are tie-barred to each other, so none could take effect unless the others also were enacted. In addition, each bill is also tie-barred to a package of Senate Bills (Senate Bills 556, 557, 558, 559, and 560) which would revise some of the laws regarding drunk driving.

Analyst: W. Flory

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.