



Senate Fiscal Agency
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House Bill 5224 (as reported with amendment)
Sponsor: Representative Morris Hood III
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend Public Act 359 of 1941, which provides for controlling and eradicating certain noxious weeds, to specify that if a city established an administrative hearings bureau (pursuant to House Bill 5216) in order to adjudicate and impose sanctions for blight violations, the city by ordinance could designate the refusal to destroy noxious weed as a blight violation and any fine imposed would be a civil fine.

(Under the Act, the owner of land on which noxious weeds are found growing must destroy the weeds before they reach a seed-bearing stage and prevent their regrowth, or must prevent the weeds from becoming a detriment to public health. An owner who refuses to destroy noxious weeds is subject to a maximum fine of \$100. Revenue from those fines must become part of the township's, village's, or city's "noxious weed control fund". By ordinance, the township, city, or village may designate refusal to destroy noxious weeds as a municipal civil infraction, in which case the fine is a civil fine.)

MCL 247.64

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill, together with House Bill 5216, would increase local unit revenue by an unknown amount as well as change the timing of when some local unit revenue is received. The amount of the increase would depend upon how many local units used administrative hearings bureaus allowed under the bills as well as the nature and number of the violations processed. At a secondary level, revenues could increase if local units were able to adjudicate ordinance violations more rapidly and such actions resulted in more effective policing of ordinances and/or increased property values.

The bills also would reduce revenue received by the State Justice System Fund by an unknown amount, depending on the extent to which cases were not assigned or appealed to the court system.

This estimate is preliminary and will be revised as new information becomes available.

Date Completed: 12-11-03

Fiscal Analyst: David Zin