

# HOUSE BILL No. 4900

May 7, 2009, Introduced by Reps. Moore, Liss, Segal, Haugh and Roy Schmidt and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2441 (MCL 333.2441), as amended by 1986 PA 76, and by adding section 2443.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 2441. ~~(1)~~ A local health department may adopt regulations  
2 necessary or appropriate to implement or carry out the duties or  
3 functions vested by law in the local health department. The  
4 regulations shall be approved or disapproved by the local governing  
5 entity. The regulations shall become effective 45 days after  
6 approval by the local health department's governing entity or at a  
7 time specified by the local health department's governing entity.

House Bill No. 4900 as amended May 13, 2009

1 The regulations shall be at least as stringent as the standard  
2 established by state law applicable to the same or similar subject  
3 matter. Regulations of a local health department supersede  
4 inconsistent or conflicting local ordinances.

5 ~~—— (2) A person who violates a regulation is guilty of a~~  
6 ~~misdemeanor, punishable by imprisonment for not more than 90 days,~~  
7 ~~or a fine of not more than \$200.00, or both.~~

8           **SEC. 2443. EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, A PERSON**  
9 **WHO VIOLATES A REGULATION OF A LOCAL HEALTH DEPARTMENT OR ORDER OF**  
10 **A LOCAL HEALTH OFFICER [UNDER THIS ACT] IS GUILTY OF A MISDEMEANOR**  
11 **PUNISHABLE BY**  
12 **IMPRISONMENT FOR NOT MORE THAN 6 MONTHS OR A FINE OF NOT MORE THAN**  
**\$200.00, OR BOTH.**