

HOUSE BILL No. 5189

December 11, 2013, Introduced by Reps. Lamonte, Franz, Driskell, Brinks, Dianda, Cochran, Abed, Geiss, Hovey-Wright, Yanez, Smiley, Phelps, Brunner, Darany, Banks, McCann, Segal, Robinson, Lane, Haugh, Singh, Roberts, Santana, Townsend, Kivela and Kosowski and referred to the Committee on Commerce.

A bill to require certain customer security measures at gas stations and convenience stores; and to prescribe civil sanctions.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "Jessica Heeringa act".

3 Sec. 3. As used in this act:

4 (a) "Convenience store" means a business establishment in this
5 state that is primarily engaged in the retail sale of convenience
6 goods, or both convenience goods and gasoline, and has at least 1
7 employee on the premises during normal operating hours. The term
8 does not include a hotel or other business engaged in providing
9 lodging, a tavern, a restaurant, a store that sells prescription

1 drugs, a grocery store, a supermarket, a retail business that has
2 more than 10,000 square feet of retail floor space, a farmer's
3 market, a roadside stand, an on-site farm market, or another
4 business engaged in an agricultural activity or operation.

5 (b) "Gas station" means a business establishment in this state
6 that is engaged in the retail sale of gasoline to the public.

7 (c) "Qualified establishment" means a convenience store or gas
8 station that is open to the general public for the sale of gasoline
9 or other goods at any time after 11 p.m. and before 5 a.m.

10 (d) "Security camera system" means a digital security camera
11 that is capable of producing a retrievable image on film or tape
12 that can be enlarged through projection or other means.

13 Sec. 5. (1) The owner or operator of a qualified establishment
14 shall ensure that 1 of the following is met at any time after 11
15 p.m. and before 5 a.m. that the establishment is open for business:

16 (a) At least 1 employee is on duty at the establishment; the
17 establishment has installed a security camera system at the
18 establishment; and that security camera system is in good working
19 order and operates continuously at all times.

20 (b) At least 2 employees are on duty at the establishment at
21 all times.

22 (2) The owner or operator of a qualified establishment that
23 installs a security camera system shall ensure that the security
24 camera system is maintained in good working order at all times.

25 Sec. 7. A person that violates this act is responsible for a
26 state civil infraction and may be ordered to pay a civil fine of
27 not more than \$200.00 for each violation.

1 Enacting section 1. This act takes effect January 1, 2015.