



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4031 (Substitute S-1 as reported)
Sponsor: Representative Bronna Kahle
House Committee: Agriculture
Senate Committee: Economic and Small Business Development

CONTENT

The bill would amend the Michigan Occupational Safety and Health Act to require a civil penalty or fine assessed against an employer for failing to maintain or transmit reports of certain work illnesses, injuries, or deaths as required by the Act to be reduced by the maximum amount allowed under the Act or a rule promulgated under the Act if the report concerned a death or injury that occurred on a family farm to the owner of the family farm or a family member of the owner.

Under the bill, "family farm" would mean a farming operation, including a sole proprietorship, a partnership, or family corporation, that meets all the following conditions:

- The farming operation is wholly owned by the operator or the operator's family members.
- During the immediately preceding 12-month period, more than 50% of the employees of the farming operation were family members of the owner or operator of the farming operation; the farming operation did not employ, at any one time, more than nine employees who were not family members of the owner or operator of the farming operation; and the farming operation did not operate a temporary labor camp.

The term would not include a farming operation that was organized as a nonfamily corporation or cooperation or a farming operation with a hired manager who was not a family member of the owner or operator of the operation.

MCL 408.1035

Legislative Analyst: Tyler VanHuyse

FISCAL IMPACT

The bill would have a minimal fiscal impact on the State and no fiscal impact on local units of government. The Michigan Occupational Safety and Health Administration would be unlikely to experience additional costs. The overall fiscal impact to the State would depend on the number of deaths or injuries that occurred on family farms. It is unknown how many deaths or injuries occur on family farms and would be subject to the bill, but that number is likely fairly low. It is not known what effect the reduction in fines would have, but any associated decrease in civil fine revenue would decrease funding to the State's General Fund.

Date Completed: 12-13-21

Fiscal Analyst: Joe Carrasco
Cory Savino