

FARM PRODUCE INSURANCE ACT (EXCERPT)
Act 198 of 2003

285.331 Conduct as misdemeanor; penalties; enforcement action; costs and expenses.

Sec. 21. (1) In addition to any other penalty or remedy provided by law, a person that knowingly or intentionally commits any of the following is guilty of a misdemeanor punishable by a fine of not more than \$5,000.00 for each offense:

(a) Refusing or failing to collect any administrative premiums or producer premiums as required under this act.

(b) Refusing or failing to pay to the authority any administrative premiums or producer premiums collected under this act.

(c) Making a false statement, representation, or certification, or knowingly failing to make a required statement, representation, or certification, in a record, report, or other document the person files with the director, department, board, or authority, or that the person is required to file with the director, department, board, or authority, under this act.

(d) Resisting, preventing, impeding, or interfering with the director, agents or employees of the department, the board, or agents or employees of the authority or board in the performance of their duties under this act.

(2) In addition to the criminal penalty described in subsection (1), the court in an enforcement action for a violation described in subsection (1)(a) or (b) shall order the grain dealer to pay to the fund any administrative premiums or producer premiums collected by the grain dealer that it owes to the fund and may order the grain dealer to pay interest on the amount the grain dealer owes to the fund.

(3) If the board prevails in an action against a licensee to recover administrative premiums or producer premiums collected by or on behalf of the licensee and not forwarded to the fund in violation of section 10(4) or 11(3), the court may award to the board all costs and expenses in bringing the action, including, but not limited to, reasonable attorney fees, court costs, and audit expenses.

History: 2003, Act 198, Imd. Eff. Nov. 10, 2003;—Am. 2010, Act 300, Imd. Eff. Dec. 16, 2010;—Am. 2012, Act 149, Imd. Eff. May 30, 2012.