

INSECT PESTS AND PLANT DISEASES (EXCERPT)
Act 72 of 1945

286.260 Violation of rule or order; civil infraction; fine; misdemeanor; felony; penalties; liability.

Sec. 10. (1) A person who violates a rule promulgated or order issued under this act that requires the destruction of plants is responsible for a state civil infraction and shall be fined not more than \$1,000.00 plus expenses incurred by the department in destroying the plants.

(2) A person who violates a quarantine rule promulgated or quarantine order issued under this act is responsible for a state civil infraction and shall be fined not less than \$1,000.00 or more than \$10,000.00. However, if the person voluntarily reported the violation to the department before it was otherwise known to the department or the person had reason to believe the violation was about to become known to the department, the person shall be fined not more than \$500.00.

(3) Beginning September 1, 2005, a person who knowingly violates a quarantine rule promulgated or quarantine order issued under this act is guilty of a misdemeanor and may be imprisoned for not more than 1 year and shall be fined not less than \$1,000.00 or more than \$10,000.00.

(4) Beginning September 1, 2005, a person who intentionally violates a quarantine rule promulgated or quarantine order issued under this act, for the purpose of causing damage to plants, natural resources, or agricultural, silvicultural, or horticultural products or resources, is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$250,000.00, or both.

(5) A person who violates a quarantine rule promulgated or quarantine order issued under this act is liable for any damages to plants, natural resources, or agricultural, silvicultural, or horticultural products or resources resulting from the violation, including, but not limited to, costs incurred to investigate, monitor, prevent, or minimize such damages.

History: Add. 2005, Act 52, Imd. Eff. June 27, 2005.