

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.5532 Civil or criminal fines; factors to be considered in determining amount.

Sec. 5532. (1) A civil or criminal fine assessed, sought, or agreed upon under this part shall be appropriate to the violation.

(2) In determining the amount of any fine levied under this part, all of the following factors shall be considered:

- (a) The size of the business.
- (b) The economic impact of the penalty on the business.
- (c) The violator's full compliance history and good faith efforts to comply.
- (d) The duration of the violation as established by any credible evidence, including evidence other than the applicable test method.
- (e) Payment by the violator of penalties previously assessed for the same violation.
- (f) The economic benefit of noncompliance.
- (g) The seriousness of the violation.
- (h) Such other factors as justice may require.

History: 1994, Act 451, Eff. Mar. 30, 1995.

Popular name: Act 451

Popular name: NREPA