

HOUSE BILL No. 6275

November 5, 1998, Introduced by Rep. Varga and referred to the Committee on Regulatory Affairs.

A bill to amend 1973 PA 139, entitled

"An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; and to provide methods for abolition of a unified form of county government,"

by amending section 6a (MCL 45.556a), as amended by 1996 PA 38.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6a. (1) Consistent with ~~Act No. 58 of the Public Acts~~
2 ~~of 1945, being section 46.201 of the Michigan Compiled Laws~~ 1945
3 PA 58, MCL 46.201, the county board of commissioners may adopt an
4 ordinance that designates a violation of the ordinance as a civil
5 infraction and provides a civil fine for that violation.

6 (2) The county board of commissioners may adopt an ordinance
7 that designates a violation of the ordinance as a municipal civil

1 infraction and provides a civil fine for that violation. An
2 ordinance may not designate a violation as a municipal civil
3 infraction if that violation may be designated as a civil infrac-
4 tion under subsection (1). A statute may provide that a viola-
5 tion of a specific type of ordinance is a municipal civil infrac-
6 tion whether or not the ordinance designates the violation as a
7 municipal civil infraction.

8 (3) An ordinance shall not make an act or omission a munici-
9 pal civil infraction if that act or omission constitutes a crime
10 under any of the following:

11 (a) Article 7 or section 17766a of the public health code,
12 ~~Act No. 368 of the Public Acts of 1978, being sections 333.7101~~
13 ~~to 333.7545 and 333.17766a of the Michigan Compiled Laws~~ 1978 PA
14 368, MCL 333.7101 TO 333.7545 AND 333.17766A.

15 (b) The Michigan penal code, ~~Act No. 328 of the Public Acts~~
16 ~~of 1931, being sections 750.1 to 750.568 of the Michigan Compiled~~
17 ~~Laws~~ 1931 PA 328, MCL 750.1 TO 750.568.

18 (c) The Michigan vehicle code, ~~Act No. 300 of the Public~~
19 ~~Acts of 1949, being sections 257.1 to 257.923 of the Michigan~~
20 ~~Compiled Laws~~ 1949 PA 300, MCL 257.1 TO 257.923.

21 (d) The Michigan liquor control ~~act, Act No. 8 of the~~
22 ~~Public Acts of the Extra Session of 1933, being sections 436.1 to~~
23 ~~436.58 of the Michigan Compiled Laws~~ CODE OF 1998, 1998 PA 58,
24 MCL 435.1101 TO 436.2303.

25 (e) Part 801 ~~(marine safety)~~ of the natural resources and
26 environmental protection act, ~~Act No. 451 of the Public Acts of~~

~~1 1994, being sections 324.80101 to 324.80199 of the Michigan~~
~~2 Compiled Laws 1994 PA 451, MCL 324.80101 TO 324.80199.~~

3 (f) The aeronautics code of the state of Michigan, ~~Act~~
~~4 No. 327 of the Public Acts of 1945, being sections 259.1 to~~
~~5 259.208 of the Michigan Compiled Laws 1945 PA 327, MCL 259.1 TO~~
~~6 259.208.~~

7 (g) Part 821 ~~(snowmobiles) of Act No. 451 of the Public~~
~~8 Acts of 1994, being sections 324.82101 to 324.82159 of the~~
~~9 Michigan Compiled Laws~~ OF THE NATURAL RESOURCES AND ENVIRONMEN-
~~10 TAL PROTECTION ACT, 1994 PA 451, MCL 324.82101 TO 324.82159.~~

11 (h) Part 811 ~~(off-road recreation vehicles) of Act No. 451~~
~~12 of the Public Acts of 1994, being sections 324.81101 to 324.81150~~
~~13 of the Michigan Compiled Laws~~ OF THE NATURAL RESOURCES AND ENVI-
~~14 RONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.81101 TO~~
~~15 324.81150.~~

16 (i) Sections 351 to 365 of the railroad code of 1993, ~~Act~~
~~17 No. 354 of the Public Acts of 1993, being sections 462.351 to~~
~~18 462.365 of the Michigan Compiled Laws 1993 PA 354, MCL 462.351~~
~~19 TO 462.365.~~

20 (j) Any law of this state under which the act or omission is
~~21 punishable by imprisonment for more than 90 days.~~