

**THE MICHIGAN PENAL CODE (EXCERPT)**  
**Act 328 of 1931**

**750.411g “Bed and breakfast” and “hotel” defined; prohibited acts; penalties; restitution for room damage; posting copy of section in conspicuous place; prosecution for underlying violation.**

Sec. 411g.

(1) As used in this section:

(a) "Bed and breakfast" means that term as defined in section 12901 of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.12901 of the Michigan Compiled Laws.

(b) "Hotel" means that term as defined in section 1 of Act No. 188 of the Public Acts of 1913, being section 427.1 of the Michigan Compiled Laws.

(2) An individual or group that does 1 or more of the following on the premises or property of a hotel or bed and breakfast, or an individual or group that rents or leases a hotel room or bed and breakfast room with reason to know that another individual or group will do 1 or more of the following on the premises or property of a hotel or bed and breakfast, is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, community service, or by a fine of not more than \$500.00, or a combination of any of these punishments:

(a) Uses or possesses a controlled substance in violation of section 7403 or 7404 of the public health code, Act No. 368 of the Public Acts of 1978, being sections 333.7403 and 333.7404 of the Michigan Compiled Laws, or a local ordinance substantially similar to those sections.

(b) Consumes or possesses alcoholic liquor in violation of section 33b of the Michigan liquor control act, Act No. 8 of the Public Acts of the Extra Session of 1933, being section 436.33b of the Michigan Compiled Laws, or a local ordinance substantially similar to that section.

(c) Commits a violation of this section resulting in damage to the room or its furnishings.

(3) In a case involving damage to the room, a court may order the individual to pay restitution which may include the reasonable loss of revenue resulting from the inability to rent or lease the room during the period of time the room is being repaired.

(4) The owner or operator of the hotel or bed and breakfast shall post a copy of this section in a conspicuous place adjacent to the site of registration for a room or inside the room.

(5) This section does not prohibit the prosecution of an individual for the underlying violation which occurred on the premises or property of the hotel or bed and breakfast.

**History:** Add. 1991, Act 56, Eff. Jan. 1, 1992