



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL  ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 219 (as reported without amendment)
Sponsor: Senator Joe Young, Jr.
Committee: Judiciary

CONTENT

The bill would amend Public Act 106 of 1963, which prohibits the littering of public and private property and waters, to provide for a civil action for a violation of the Act. A person who violated the Act would be subject to a civil action regardless of whether a criminal action was brought under the Act.

Under the bill, any person could bring a civil action for damages or equitable relief, or both, against a person who violated the Act. In an action brought under the bill, a court could compel a person to remove and properly dispose of litter that was the subject of the violation. The court also could award reasonable attorney fees and costs to a plaintiff who prevailed in an action brought under the bill.

Proposed MCL 752.903b

Legislative Analyst: P. Affholter

FISCAL IMPACT

The costs to the courts would be determined by the number of new suits that would be brought. Data on the number of people caught littering would be necessary to show at least the potential number of lawsuits that could be filed. The data are currently not readily available.

Date Completed: 3-1-95

Fiscal Analyst: L. Nacionales-Tafoya