

Act No. 273
Public Acts of 2022
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**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2022**

Introduced by Senator Daley

ENROLLED SENATE BILL No. 1059

AN ACT to amend 1964 PA 283, entitled “An act to regulate and provide standards for weights and measures, and the packaging and advertising of certain commodities; to provide for a state director and other officials and to prescribe their powers and duties; to provide a fee system for certain inspections and tests; to provide penalties for fraud and deception in the use of false weights and measures and other violations; and to repeal certain acts and parts of acts,” by amending sections 2, 9a, 9b, 24, 27, 28c, 28e, 28f, 31, and 31a (MCL 290.602, 290.609a, 290.609b, 290.624, 290.627, 290.628c, 290.628e, 290.628f, 290.631, and 290.631a), sections 2, 9a, and 9b as amended by 2012 PA 253, section 28c as amended by 2016 PA 464, section 28e as amended by 2012 PA 469, section 28f as added by 2017 PA 168, and sections 31 and 31a as amended by 2012 PA 254.

The People of the State of Michigan enact:

Sec. 2. As used in this act:

(a) “Automatic checkout system” means an electronic device, computer, or machine that determines the price of a consumer item by using a product identity code and may, but is not required to, include an optical scanner.

(b) “Certificate of conformance” means a document issued by the NCWM based on testing by a participating laboratory that constitutes evidence of conformance of a type.

(c) “Commodity in package form” means a commodity put up or packaged in any manner in advance of sale in units suitable for either wholesale or retail sale including an individual item or lot of any commodity not in a form as described in this subdivision but upon which there is marked a selling price based on an established price per unit of weight or measure. Commodity in package form does not include an auxiliary shipping container enclosing packages that conform to the requirements of this act.

(d) “Commercial weighing and measuring device” means any weights and measures or weighing and measuring device, including any accessory attached to or used in connection with the weighing or measuring device that is designed or installed in a manner that its operation affects or may affect the accuracy of the device, used or employed in commerce for any of the following:

(i) Establishing the size, quantity, extent, area, or measurement of any commodity sold, offered, or submitted for hire.

(ii) Computing any basic charge or payment for services rendered on the basis of weight, measure, or count.

(iii) Establishing eligibility for any award.

(e) “Consumer package” means a package that is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption or use by individuals for the purposes of personal care or in performance of services ordinarily rendered in or about the household or in connection with personal possessions.

- (f) "Department" means the department of agriculture and rural development.
- (g) "Director" means the director of the department or his or her designee.
- (h) "Inspector" means an employee or agent of the department authorized to enforce this act.
- (i) "NCWM" means the national conference on weights and measures, inc.
- (j) "Net weight" means the weight of a commodity excluding any materials, substances, or items not considered to be part of the commodity. Materials, substances, or items not considered to be part of the commodity include containers, conveyances, bags, wrappers, packaging materials, labels, individual piece coverings, decorative accompaniments, prizes, coupons, and, in the case of edible commodities, anything that is nonedible.
- (k) "NIST" means the United States Department of Commerce, National Institute of Standards and Technology.
- (l) "NTEP" means the national type evaluation program administered by the NCWM, in cooperation with the states, the private sector, and the NIST for determining on a uniform basis conformance of a type.
- (m) "Nonconsumer package" means a package other than a consumer package and includes, but is not limited to, a package intended solely for industrial or institutional use or for wholesale distribution.
- (n) "Participating laboratory" means a state measurement laboratory that is accredited by NCWM to conduct a type evaluation under the NTEP and determined otherwise acceptable to the director.
- (o) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.
- (p) "Placed-in-service report" means the approved form issued to registered servicepersons and registered service agencies for their use in accordance with the requirements of section 9b.
- (q) "Registered service agency" means an agency, firm, company, or corporation that installs, services, repairs, reconditions, or places into service commercial weights and measures and that holds a registration issued by the director.
- (r) "Registered serviceperson" means an individual who installs, services, repairs, reconditions, or places into service commercial weights and measures and who holds a registration issued by the director.
- (s) "Registration audit" means an official inspection of a registered service agency's or registered serviceperson's accounts, paperwork, and offices.
- (t) "Rule" means an administrative rule promulgated pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
- (u) "Sell" or "sale" means sale, barter, or exchange.
- (v) "Type" means a model or models of a particular device measurement system, instrument, element, or a field standard that positively identifies the design and that may vary in its measurement ranges, size, performance, and operating characteristics as specified in the certificate of conformance.
- (w) "Type evaluation" means the testing, examination, and evaluation of a type by a participating laboratory under the NTEP.
- (x) "Weight", in connection with any commodity or service, means net weight.
- (y) "Weights and measures" means weights and measures of every kind, instruments and devices for weighing and measuring, grain moisture meters, and any appliances and accessories associated with any or all of those instruments and devices. Weights and measures include automatic checkout systems. Weights and measures do not include meters for the measurement of electricity, natural or manufactured gas, water, or the usage of communications services when any of these meters are regulated and tested as part of a public utilities system.
- (z) "Weighing and measuring device" means all instruments and devices of every kind used to determine the quantity of any commodity and includes weights and measures and any appliance and accessories associated with any of these instruments and devices, except meters, appliances, and accessories that are part of a public utility regulated by the Michigan public service commission.
- (aa) "Weighing and measuring establishment" means a location with 1 or more commercial weighing and measuring devices or any operation that employs commercial weighing and measuring devices that are mobile.

Sec. 9a. (1) A weighing device placed in service after January 1, 1988 must have valid certificates of conformance before use for commercial or law enforcement purposes. A non-NTEP weighing device for special use may be used for products for which an NTEP weighing device is not readily available, if all of the following conditions are met:

- (a) The device owner receives written approval from the director.
- (b) The device is tested on an annual basis by a registered service agency.

(c) The registered service agency records all testing data and the records are retained on site and made available to the department on request.

(2) A measuring device placed in service on or after October 29, 2002 must have valid certificates of conformance before use for commercial or law enforcement purposes. A non-NTEP measuring device for special use may be used for products for which an NTEP measuring device is not readily available, if all of the following conditions are met:

(a) The device owner receives written approval from the director.

(b) The device is tested on an annual basis by a registered service agency.

(c) The registered service agency records all testing data and the records are retained on site and made available to the department on request.

(3) The director may operate a participating laboratory as part of NTEP. The director may charge and collect fees pursuant to section 10b for services rendered by the participating laboratory.

Sec. 9b. (1) The director shall issue a registration for servicepersons and service agencies seeking registration under this section in accordance with the standards described in section 28c. Registration with the director under this section is voluntary.

(2) A person may apply for initial and renewal registration as a serviceperson or service agency in specific competency areas. Competence in a subject matter area may be demonstrated by scoring at least 80% on a department-approved competency test for that area in compliance with the standards described in section 28c. A registrant shall retake the department-approved competency test every 4 years or as otherwise required by law.

(3) The term of registration is 2 years from the date of issuance. A registration may be transferred to a different registered service agency if the registration is retained by the original serviceperson and the new service agency pays the service agency registration fee.

(4) The fee for registration under this section must be established in accordance with section 10b(1).

(5) Certification of standards used by the registered serviceperson or registered service agency must be accomplished by the registrant at least biennially. The certification of standards may be done at any approved laboratory. The registrant shall submit documentation of international standards traceable calibration reports with the registration or renewal application.

(6) Within 5 business days after a device is returned to service or placed in service, the original of a properly executed placed-in-service report, all applicable test or calibration data, and any official department rejection tag removed from the device must be mailed to the director at an address indicated on the tag.

(7) The director may deny, suspend, or revoke a registration for a violation of this act or rules promulgated under this act. Enforcement actions include, but are not limited to, the following:

(a) Written warning.

(b) Conference with the director.

(c) Suspension of the registration.

(d) Revocation of the registration.

(8) Before the suspension or revocation of a registration, the director shall notify the registrant in writing stating the reasons for the registration being subject to suspension or revocation and advising that the registration must be suspended or revoked 15 days after the sending of the notice unless the registrant files a request for a hearing with the department within that 15-day period. If a written request for a hearing is not filed within the 15-day period, the department shall suspend or revoke the registration.

(9) A notice under subsection (8) is considered properly served when it is personally delivered to the registrant or when it is sent by registered or certified mail, return receipt requested, to the registrant's last known address.

(10) Except as otherwise provided for in this act, the director may initiate an enforcement action against a registered serviceperson or registered service agency for any or all of the following:

(a) Failure of a weighing or measuring device during an official inspection within 30 days after being placed in service following an initial installation.

(b) Failure of a weighing or measuring device during an official inspection within 30 days after being placed in service following a major overhaul or repair that may or may not have been the result of an official condemnation by a weights and measures official.

(c) The return to commercial use of a device tagged "not sealed".

(d) Placing a device in service with improper or insufficient standards.

(e) Falsifying a placed-in-service report or test report.

- (f) Placing in service or allowing to remain in service, without notifying the director, an incorrect weighing or measuring device.
- (g) Failure to provide placed-in-service reports or other documentation as required by this section.
- (h) Placing a device in service without having the proper certification as required by law.
- (i) Failure to comply with a request for documents or other information related directly to a registration audit.
- (j) Failure to submit a placed-in-service report for a weighing and measuring device found in an out-of-tolerance condition and returned to a condition as close to zero as practicable.
- (k) Failure to properly seal a device.
- (l) Failure to employ the use of an approved security seal that contains a unique identifying mark that is approved and is registered with the department.

Sec. 24. (1) Except as otherwise provided in this act, any commodity in package form kept for the purpose of sale, or offered or exposed for sale, must bear on the outside of the package definite, plain, legible, and conspicuous declarations of all of the following:

- (a) The identity of the commodity in the package, unless the commodity can easily be identified through the wrapper or container.
- (b) Except as otherwise provided in this act, the net quantity of the contents in terms of weight, measure, or count. The term “when packed” or any words of similar import, or any term qualifying a unit of weight, measure, or count, such as “jumbo”, “giant”, “full”, “approximate”, and the like that tends to exaggerate the amount of commodity in a package, must not be used.
- (c) The name and place of business of the manufacturer, packer or distributor in the case of any package kept, offered or exposed for sale, or sold any place other than on the premises where packed as may be prescribed by regulation promulgated by the director.
- (2) The director shall, by regulation, establish reasonable variations to be allowed that may include variations below the declared weight or measure caused by ordinary and customary exposure to conditions that normally occur in good distribution practice and that unavoidably result in decreased weight or measure. The regulations must provide for exemptions for small packages and for commodities put up in variable weights or sizes for sale intact and either customarily not sold as individual units or customarily weighed or measured at time of sale to the consumer.

Sec. 27. Whenever a commodity in package form is advertised in any manner and the retail price of the package is stated in the advertisement, there must be closely and conspicuously associated with the statement of price a declaration of the basic quantity of contents of the package as is required by law or regulation to appear on the package, except that this section must not apply to products for agricultural or horticultural use where the custom is to state the number of objects or amount of area that can be treated per package unit and the number or area is stated. Where the law or regulation requires the declaration of net quantity to appear on the package in terms of more than 1 unit of weight or measure, only the smallest unit of weight or measure need be stated in the advertisement. In connection with the declaration the qualifying term “when packaged” or any other words of similar import, or any term qualifying a unit of weight, measure or count, for example, “jumbo”, “giant”, “full”, “approximate”, and the like that tends to exaggerate the amount of commodity in the package, must not be used.

Sec. 28c. (1) Except as otherwise provided for in this subsection, the method of sale of a commodity sold in this state must conform to the “uniform regulation for the method of sale of commodities” published in the 2023 edition of the NIST handbook 130, which is incorporated by reference, except as otherwise provided in this section or where modified by rule. Section 2.21 of the “uniform regulation for the method of sale of commodities” published in the 2023 edition of the NIST handbook 130 is not adopted. The buying and selling of liquefied petroleum gas may also be conducted by a flat rate price, if the price rate is clearly and conspicuously posted for potential customer viewing. This subsection applies only to tanks of 100 pounds or less.

(2) Except as otherwise provided in this subsection, the packaging and labeling requirements for commodities sold in this state must conform to the “uniform packaging and labeling regulation” published in the 2023 edition of the NIST handbook 130, which is incorporated by reference, except for section 13 of that publication or except as otherwise modified by rule. A cottage food operation does not have to include the address of the cottage food operation on a label if both of the following conditions are met:

- (a) The cottage food product is produced in accordance with section 4102 of the food law, 2000 PA 92, MCL 289.4102.

(b) The cottage food operation is registered with and is issued a registration number by the MSU Product Center in accordance with section 4102(8) of the food law, 2000 PA 92, MCL 289.4102.

(3) A certificate of conformance for a type must comply with the requirements of NCWM publication 14, “national type evaluation program technical policy, checklists and test procedures”, and the 2023 edition of the NIST handbook 44, “specifications, tolerances, and other technical requirements for weighing and measuring devices”, which is incorporated by reference.

(4) The determination for a uniform basis conformance for a type must comply with NCWM publication 14, “national type evaluation program technical policy, checklists and test procedures”, and the 2023 edition of the NIST handbook 44, “specifications, tolerances, and other technical requirements for weighing and measuring devices”, which is incorporated by reference.

(5) The specifications, tolerances, and regulations for commercial weights and measures must be in compliance with the standards contained in the 2023 edition of the NIST handbook 44, which is incorporated by reference.

(6) Registration for servicepersons and service agencies and competency tests must be in compliance with the standards contained in the 2023 edition of the NIST handbook 130, “uniform regulation for the voluntary registration of servicepersons and service agencies for commercial weighing and measuring devices”, which is incorporated by reference, and the 2023 edition of the NIST handbook 44, which is incorporated by reference.

(7) For purposes of implementing the 2023 edition of the NIST handbook 44 and the 2023 edition of the NIST handbook 130, “ton” means a weight of 2,000 pounds avoirdupois and “gross ton” means a weight of 2,240 pounds avoirdupois.

(8) Notwithstanding any other provision of this act, a motor vehicle repair facility registered under the motor vehicle service and repair act, 1974 PA 300, MCL 257.1301 to 257.1340, is subject to the oversight of the secretary of state under that act. If the secretary of state believes that a motor vehicle repair facility may have violated section 2.33, “Oil”, of the “uniform regulation for the method of sale of commodities”, of the 2023 edition of the NIST handbook 130, which is incorporated by reference, the secretary of state may refer the matter to the department. A motor vehicle repair facility is not subject to oversight by the department under this act for a violation of section 2.33, “Oil”, of the “uniform regulation for the method of sale of commodities”, of the 2023 edition of the NIST handbook 130 unless the matter has been referred to the department by the secretary of state as provided for in this subsection.

Sec. 28e. (1) Beginning July 2, 2013, if motor fuel is sold at a roadside retail location, the roadside advertising must comply with all of the following:

(a) The price advertised must be clearly and completely posted in full, including any fractional prices, to the tenth of a cent.

(b) The price advertised must include the grade of fuel being sold, with the following abbreviations allowed:

(i) Regular gasoline: “Regular”, “Reg.”, or “Reg.”.

(ii) Midgrade gasoline: “Midgrade”, “Mid.”, or “Mid.”.

(iii) Premium gasoline: “Premium”, “Prem.”, or “Prem.”.

(iv) Diesel fuel: “Diesel”, “Dsl.”, or “Dsl.”.

(v) Kerosene fuel: “Kerosene”, “Ker.”, or “Ker.”.

(vi) E85 fuel ethanol: “E85”.

(c) All prices must be capable of being displayed at the pump, but only the unit price of the selected product must be displayed during the transaction. All indications on the pump display must calculate the correct total price of the purchase.

(d) If the advertised price of the motor fuel is subject to 1 or more conditions for sale at that price, the retailer shall post the conditions immediately adjacent to the sales price with equal illumination in lettering of the same style and of at least 1/2 the size that is used to post the sale price.

(e) If the unit price for the same grade of motor fuel differs, and the sign will not accommodate displaying all prices in lettering of the same style and size, the highest price must be displayed in lettering using the largest size of the prices that are displayed.

(2) Subsection (1)(b) does not preclude the owner or operator of a business selling motor fuel at a roadside retail location from using a proprietary fuel name.

Sec. 28f. (1) If a pump for dispensing motor fuel for sale at a roadside retail location includes a scanning device for reading a customer payment card as an integral part of the pump, the pump must include a security measure

to restrict the unauthorized access of customer payment card information. The security measure must include 1 or more of the following:

(a) Until December 31, 2022, a pressure-sensitive security tape that is imprinted with a customized graphic and placed over the panel opening leading to the scanning device so as to restrict unauthorized opening of the panel.

(b) A device or system to render the pump or the scanning device inoperable if the panel is opened without proper authorization.

(c) A means for encrypting the customer payment card information in the scanning device.

(d) A device to replace a manufacturer-supplied standard lock.

(e) Any other measure approved by the department.

(2) If the owner or agent of the owner of a pump required to have a security measure under subsection (1) receives a written notice of noncompliance, he or she shall bring the pump into compliance. If the violation is not corrected within 5 days after receipt of the notice of noncompliance, the department may prohibit the use of the pump until a properly functioning security measure is installed on the device.

(3) As used in this section:

(a) "Customer payment card" means a credit or debit card or other card encoded to provide an electronic means for initiating a fund transfer from the customer's deposit account or for initiating electronic billing.

(b) "Pump" means a device for measuring and dispensing motor fuel used to propel vehicles on the highways of this state.

(c) "Scanning device" means a scanner, reader, or any other electronic device that is used to access, read, scan, obtain, memorize, or store, temporarily or permanently, information encoded on the magnetic strip or stripe of a customer payment card.

Sec. 31. (1) An individual who, by himself or herself or by the individual's servant or agent, or as the servant or agent of another person, engages in any of the following acts is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not less than \$1,000.00 or more than \$10,000.00, plus the amount of any economic benefit realized as a result of the violation, or both:

(a) Use or have in possession for the purpose of using for any commercial purpose specified in section 10, sell, offer, expose for sale or hire, or have in possession for the purpose of selling or hiring, incorrect weights and measures or any device or instrument used or calculated to falsify any weights and measures.

(b) Use or have in possession for current use in the buying or selling of any commodity or thing, for hire or award, or in the computation of any basic charge or payment for services rendered on the basis of weights and measures or in the determination of weights and measures, when a charge is made for the determination, weights and measures that have not been tested and sealed by the appropriate authority, unless 1 or more of the following conditions are met:

(i) A properly executed and completed placed-in-service report has been delivered to the director as notification that the weights and measures have been placed in service by a registered serviceperson.

(ii) Permission to use the weights and measures has been received from the appropriate authority.

(iii) The weights and measures have been exempted from sealing or testing requirements by section 10 or by rule of the director promulgated under section 8.

(c) Dispose of rejected or condemned weights and measures in a manner contrary to law or rule.

(d) Remove from weights and measures, contrary to law or rule, a tag, seal, or mark placed on the weights and measures by the appropriate authority.

(e) Sell, offer, or expose for sale less than the quantity he or she represents of a commodity, thing, or service.

(f) Take more than the quantity he or she represents of a commodity, thing, or service when, as buyer, he or she furnishes the weight of the commodity, thing, or service or the measure of the commodity, thing, or service by means of which the amount of the commodity, thing, or service is determined.

(g) Advertise, offer, expose for sale, or sell a commodity, thing, or service in a condition or manner contrary to law.

(h) Use in retail trade, except in the preparation of packages put up in advance of sale and of medical prescriptions, weights and measures that are not so positioned that their indications may be accurately read and the weighing or measuring operation observed from some position which may reasonably be occupied by a customer.

(i) Violate a provision of this act or of a rule promulgated under this act for which a specific penalty has not been prescribed.

(j) Sell, offer, or expose for sale to licensed wholesale distributors and dealers gasoline or any middle distillate petroleum product on any basis other than a U.S. gallon of 231 cubic inches or metric equivalent unless freely requested to do so in writing by a licensed wholesale distributor, dealer, or end user for an annual period of time or for the length of the contract. This subdivision does not apply to the sale or offer for sale of number 4, 5, or 6 petroleum fuels as described as having American petroleum institute gravity at 60°F of 28 or less, a specific gravity greater than .8871 and does not apply to the sale or exchange of gasoline or any middle distillate petroleum product among petroleum refiners.

(k) Deliver or issue a weight quantity determination or a measure quantity determination upon which a commercial transaction is, or is intended to be, computed without the use of weights and measures.

(l) Fail to pay a fee or fine imposed under this act.

(2) An individual who, by himself or herself or by the individual's servant or agent, or as a servant or agent of another person, fails to disclose to the department any knowledge of information relating to, or observation of, any device or instrument added to or modifying any weight or modifying any measure for the purpose of selling, offering, or exposing for sale less than the quantity represented of a commodity or calculated to falsify the weight or measure, if the individual is an owner or employee of an entity involved in the installation, repair, sale, or inspection of weights and measures, is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$1,000.00, or both.

(3) An individual who, by himself or herself or by the individual's servant or agent, or as a servant or agent of another person, performs any of the following acts is guilty of a felony punishable by a fine of not less than \$5,000.00 or more than \$20,000.00, by a fine of not more than twice the amount of any money gained for each day on which a violation has been found, by imprisonment for not more than 5 years, or by any combination of these penalties:

(a) Is in possession of or adds to or modifies commercial weights and measures by the addition of a device or instrument that would allow the sale, or the offering or exposure for sale, of less than the quantity represented of a commodity or the falsification of the weights and measures.

(b) Intentionally commits any of the acts listed in subsection (1) or (2).

(c) Violates this section within 24 months after 2 previous violations of this section that resulted in convictions.

(4) When a violation results in a conviction under this act, the court may assess against the defendant or his or her agent the costs of investigation and the money must be paid to the agency that incurred the expense.

(5) In addition to any other applicable penalties prescribed in this act, the department may assess the owner of a motor fuel delivery facility that has intentionally delivered less fuel to a retail customer than indicated by the gas pump metering device the following civil fines:

(a) For a first violation, a civil fine of \$5,000.00.

(b) For a second violation, a civil fine of \$10,000.00.

(c) For a third or subsequent violation, a civil fine of \$25,000.00.

(6) The department may close any facility that is responsible for a violation described in subsection (5) until the owner can demonstrate to the department that the problem is corrected.

(7) The department shall inspect motor fuel facilities with 3 or more violations under subsection (5) at least annually, and all inspection costs must be assessed to the owner of the weights and measures establishment for a period of not more than 2 years.

(8) Any of the fines described in subsection (5) may be embodied in a consent order under section 31a.

(9) Any civil fines or recovery of any economic benefits associated with a violation of this act and collected under this section must be paid to the general fund and credited to the department for the enforcement of this act.

Sec. 31a. (1) The director, upon determination that an individual who, by himself or herself, his or her agent or employee, or as the agent or employee of another, has violated this act or rules promulgated under this act, may enter into a consent agreement for the assessment of a civil fine as follows:

(a) For a first violation, not less than \$150.00 and not more than \$2,500.00 for each violation plus the actual cost of the investigation and the amount of any economic benefit associated with the violation.

(b) For a second violation within 2 years of the first violation, not less than \$500.00 or not more than \$5,000.00 for each violation plus actual costs of the investigation and twice the amount of any economic benefit associated with the violation.

(c) For a third violation within 2 years from the date of the first violation, not less than \$500.00 or not more than \$10,000.00 for each violation plus actual costs of the investigation and 3 times the amount of any economic benefit associated with the violation.

(2) If a person alleged to have violated this act or rules promulgated under this act does not enter into a written consent agreement as described in subsection (1) within 15 days of the date of the consent agreement, the director may do either of the following:

(a) Initiate a criminal prosecution.

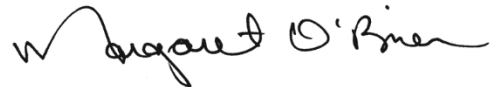
(b) Commence an administrative hearing conducted pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, in the case of a person holding a registration under this act, or commence a civil violation proceeding in a court of competent jurisdiction regarding any other person.

(3) Upon finding a violation of any provision of this act or rules promulgated under this act as a result of the commencement of an action under subsection (2)(b), the court shall assess a civil fine of not more than \$10,000.00 for each violation plus the actual costs of the investigation and the amount of any economic benefit associated with the violation as prescribed in subsection (1).

(4) The decision of the director pursuant to a proceeding under this section is subject to appropriate judicial review as provided by law.

(5) The director shall advise the attorney general of the failure of any person to pay a civil fine imposed under this section. The attorney general shall bring an action in court to recover the fine.

(6) Any civil fines or recovery of any economic benefits that are recovered for a violation of this act and collected under this section must be paid to the general fund and credited to the department for the enforcement of this act.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor