

Legislative Analysis



LOCAL HEALTH DEPARTMENT: INCREASE PENALTY FOR VIOLATING REGULATION

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House Bill 4900

Sponsor: Rep. Tim Moore

Committee: Health Policy

Complete to 5-11-09

A SUMMARY OF HOUSE BILL 4900 AS INTRODUCED 5-7-09

The bill would increase the penalty for violating a regulation of a local health department and also make it a criminal offense to violate an order of a local health department officer.

Local health departments are required by statute to continually and diligently endeavor to prevent disease, prolong life, and promote the public health through a variety of means, including organized programs, prevention and control of environmental health hazards, prevention and control of diseases, and, to the extent provided by law, regulation of health care facilities and health services delivery systems.

House Bill 4900 would amend the Public Health Code to specify that except as otherwise provided in the code, a person who violates a regulation of a local health department or order of a local health officer would be guilty of a misdemeanor punishable by imprisonment for not more than six months or a fine of not more than \$200, or both.

Currently, violating a regulation of a local health department is a misdemeanor punishable by not more than 90 days imprisonment and/or a \$200 fine.

MCL 333.2441

FISCAL IMPACT:

To the extent that the bill increased the number or severity of misdemeanor sentences, local costs of misdemeanor probation supervision or jail incarceration, both of which vary with jurisdiction, could increase. Any increase in penal fine revenues could benefit local libraries, which are the constitutionally-designated recipients of those revenues.

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