



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 532 (Substitute S-2 as reported)
Senate Bill 533 (as reported without amendment)
Sponsor: Senator Gerald Van Woerkom
Committee: Natural Resources and Environmental Affairs

CONTENT

Senate Bill 532 (S-2) would amend Part 89 (Littering) of the Natural Resources and Environmental Protection Act to permit the Department of Environmental Quality (DEQ) to pay a reward to a person who provided information materially contributing to a civil fine imposed for littering, pursuant to rules the DEQ would have to adopt. The reward would be half of the civil fine imposed for the litter violation. The bill also would create the "Illegal Dumping Reward Fund" for payment of the rewards and for publicizing their availability; the Fund would receive 50% of the civil fines imposed for littering.

A reward could not be paid to public officers or employees of the United States, the States of Michigan, Wisconsin, Illinois, Indiana, or Ohio, or counties or cities in those states, unless reporting litter violations did not relate to their public responsibilities. An employee of a business who provided information that the business violated Part 89 could not receive an award if he or she intentionally caused the violation or had an opportunity to take reasonable action to stop it but failed to do so.

A person who knowingly provided false information to obtain a reward would be liable for expenses incurred by the DEQ and the person against whom the false information was provided.

Senate Bill 533 would amend the Revised Judicature Act to exempt civil fines imposed for littering from the requirement that State civil infraction fines be applied solely for the support of public libraries and county law libraries. Senate Bill 533 is tie-barred to Senate Bill 532.

MCL 324.8901 et al. (S.B. 532)
600.8831 (S.B. 533)

Legislative Analyst: Claire Layman

FISCAL IMPACT

The bills would have an indeterminate fiscal impact. They would create a reward system for people who reported littering and illegal dumping activity. The proposed Illegal Dumping Reward Fund would be funded with 50% of the civil fines assessed for illegal dumping. People who provided information leading to the assessment of a civil fine could receive 50% of the fine revenue. Currently, all of the civil fine revenue for violations of this part benefits public libraries. The toll-free telephone number for reporting littering (as proposed by Senate Bill 860) and the monetary reward could attract additional information, but half of the resulting fines would be paid to private individuals.

Date Completed: 12-15-03

Fiscal Analyst: Jessica Runnels