



Senate Fiscal Agency  
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House Bill 4325 (as reported without amendment)

Sponsor: Representative Helena Scott

House Committee: Natural Resources, Environment, Tourism and Outdoor Recreation

Senate Committee: Energy and Environment

### **CONTENT**

The bill would amend Part 89 (Littering) of the Natural Resources and Environmental Protection Act to prescribe misdemeanor penalties for the unlawful dumping of litter, punishable by the following penal fines:

- For a first violation, if the amount of litter were three cubic feet or more but less than five cubic yards, up to \$2,500 and, for each subsequent violation following a conviction, an additional \$2,500 per violation.
- For a first violation, if the amount of litter were five cubic yards or more, up to \$5,000 and, for each subsequent violation following a conviction, an additional \$5,000 per violation.

### **BRIEF RATIONALE**

According to testimony, illegal dumping has had a significant negative impact on urban and rural communities throughout the State. Dumping trash and refuse in residential neighborhoods is costly, dangerous to residents, and can attract pests like rats, raccoons, and mosquitoes. In 2022, the Department of Transportation spent \$7.7 million to pick up discarded refuse along roads in the State, not counting municipalities. It has been suggested that higher penalties for these crimes could deter more dumping.

MCL 324.8905a

Legislative Analyst: Nathan Leaman

### **FISCAL IMPACT**

The bill would have an indeterminate positive fiscal impact on the State dependent upon the number of violations resulting in fines. The bill would introduce civil fines ranging from \$800 to \$5,000, not to exceed actual costs of cleanup and remediation; and penal fines ranging from \$2,500 to \$5,000 and increasing the maximum penalty by \$5,000 for subsequent violations. The revenue collected from these fines would offset costs of cleanup and remediation of the violation(s) and \$10 of each civil fine would contribute to the State's Justice System Fund. This Fund supports justice-related activities across State government in the Departments of Corrections, Health and Human Services, State Police, and Treasury. The Fund also supports justice-related issues in the Legislative Retirement System and the Judiciary.

The bill could have a positive fiscal impact on local units of government. The bill would impose a misdemeanor that could result in sanctions and penal fines. The court also could levy in addition to, or in lieu of, a civil fine. Revenue collected from civil fines is used to support local libraries. The amount of revenue for local libraries is indeterminate and dependent on the actual number of violations.

Date Completed: 2-5-24

Fiscal Analyst: Bobby Canell

[floor/hb4325](#)

Bill Analysis @ [www.senate.michigan.gov/sfa](http://www.senate.michigan.gov/sfa)

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