

INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT ACT (EXCERPT)
Act 547 of 2014

286.857 Violation of act or rules; administrative fines.

Sec. 17.

(1) A person who individually, or by the action of his or her agent or employee, or as the agent or employee of another, violates this act or a rule promulgated under this act is subject to an administrative fine. Upon the request of a person to whom an administrative fine is issued, the director shall conduct a hearing in accordance with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. The department shall impose a fine authorized by this section as follows:

(a) For a first violation, not less than \$100.00 or more than \$500.00, plus actual costs of the investigation and double the amount of any economic benefit associated with the violation.

(b) For a second violation within 5 years after the first violation, not less than \$500.00 or more than \$1,000.00, plus actual costs of the investigation and double the amount of any economic benefit associated with the violation.

(c) For a third or subsequent violation within 5 years after the date of the first violation, not less than \$1,000.00 or more than \$2,000.00, plus actual costs of the investigation and double the amount of any economic benefit associated with the violation.

(2) A decision of the director under this section is subject to judicial review as provided by law.

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

(4) Any administrative fine, investigation costs, or recovery of economic benefit associated with a violation that is collected under this section shall be paid to the state treasury and deposited into the licensing and registration fund.

History: Add. 2018, Act 641, Eff. Jan. 15, 2019

Compiler's Notes: Former MCL 286.857, which pertained to groundwater stewardship practices, was repealed by Act 451 of 1994, Eff. Mar. 30, 1995. For the transfer of all authorities, powers, duties, functions, and responsibilities of the department of agriculture and rural development to license and regulate process handlers to the cannabis regulatory agency formerly known as the marijuana regulatory agency, see E.R.O. No. 2022-1, compiled at MCL 333.27002.