

HOUSE BILL No. 5473

February 13, 1990, Introduced by Rep. Ostling and referred to the Committee on Judiciary.

A bill to amend section 382 of Act No. 328 of the Public Acts of 1931, entitled
"The Michigan penal code,"
as amended by Act No. 159 of the Public Acts of 1980, being section 750.382 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 382 of Act No. 328 of the Public Acts of
2 1931, as amended by Act No. 159 of the Public Acts of 1980, being
3 section 750.382 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 382. (1) A person who ~~wilfully~~ WILLFULLY and mali-
6 ciously, or wantonly and without cause, cuts down, destroys, or
7 injures any tree, shrub, grass, turf, plants, crops, or soil of
8 another that is standing, growing, or located on the land of
9 another is CRIMINALLY LIABLE AS FOLLOWS:

1 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B), THE PERSON IS
2 guilty of a misdemeanor ~~—~~ punishable by imprisonment for not
3 more than 90 days ~~—~~ OR a fine of not more than \$100.00, or
4 both.

5 (B) IF THE VIOLATION OF THIS SUBSECTION OCCURS ON A GOLF
6 COURSE AND THE DAMAGE DONE IS MORE THAN \$100.00, THE PERSON IS
7 GUILTY OF A FELONY.

8 (2) A person convicted under ~~this~~ subsection (1) shall be
9 required to make restitution for any damage done.

10 (3) ~~—(2)—~~ A person convicted under subsection (1) who com-
11 mitted the offense with a vehicle, as defined in section 79 of
12 THE MICHIGAN VEHICLE CODE, Act No. 300 of the Public Acts of
13 1949, being section 257.79 of the Michigan Compiled Laws, may
14 have his or her license to operate a vehicle in this state sus-
15 pended for up to 1 year in addition to a penalty imposed under
16 subsection (1) OR (2).

17 (4) AS USED IN THIS SECTION, "GOLF COURSE" MEANS AN AREA OF
18 LAND LAID OUT, MAINTAINED, AND USED DURING AT LEAST PART OF THE
19 YEAR FOR THE GAME OF GOLF.