

HOUSE BILL No. 4900

May 7, 2009, Introduced by Reps. Moore, Liss, Segal, Haugh and Roy Schmidt and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2441 (MCL 333.2441), as amended by 1986 PA 76, and by adding section 2443.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2441. ~~(1)~~ A local health department may adopt regulations
2 necessary or appropriate to implement or carry out the duties or
3 functions vested by law in the local health department. The
4 regulations shall be approved or disapproved by the local governing
5 entity. The regulations shall become effective 45 days after
6 approval by the local health department's governing entity or at a
7 time specified by the local health department's governing entity.

House Bill No. 4900 as amended May 13, 2009

1 The regulations shall be at least as stringent as the standard
2 established by state law applicable to the same or similar subject
3 matter. Regulations of a local health department supersede
4 inconsistent or conflicting local ordinances.

5 ~~—— (2) A person who violates a regulation is guilty of a~~
6 ~~misdemeanor, punishable by imprisonment for not more than 90 days,~~
7 ~~or a fine of not more than \$200.00, or both.~~

8 **SEC. 2443. EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, A PERSON**
9 **WHO VIOLATES A REGULATION OF A LOCAL HEALTH DEPARTMENT OR ORDER OF**
10 **A LOCAL HEALTH OFFICER [UNDER THIS ACT] IS GUILTY OF A MISDEMEANOR**
11 **PUNISHABLE BY**
12 **IMPRISONMENT FOR NOT MORE THAN 6 MONTHS OR A FINE OF NOT MORE THAN**
\$200.00, OR BOTH.