



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 1119 (as introduced 3-2-06)
Sponsor: Senator Gerald Van Woerkom
Committee: Judiciary

Date Completed: 3-13-06

CONTENT

The bill would amend the Revised Judicature Act (RJA) to authorize the Attorney General to commence an action against a person who developed or maintained a website, or a page on a website, for the purpose of publishing instructions for the manufacture or creation of methamphetamine or information on how to obtain substances that could be used in the manufacture or creation of methamphetamine.

In an action brought under the bill, the court could order one or more of the following forms of relief:

- Injunctive or other equitable relief, as appropriate.
- Actual damages sustained by the State, or its residents, that were caused by the publication.
- Punitive damages that the court determined were just and equitable.
- Actual attorney fees and costs.

The bill specifies that it would not apply if the published information were only on how to obtain substances that could be lawfully possessed in Michigan and the purpose of the website were to provide information on obtaining the substances only for lawful purposes and in a lawful manner.

"Methamphetamine" would mean that substance described in Section 7214(c)(ii) of the Public Health Code, i.e., any substance that contains any quantity of methamphetamine, including its salts, stereoisomers, and salts of stereoisomers.

Proposed MCL 600.2975

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

Enforcement costs, damages, attorney fees, and costs would depend on the number of violations.

Fiscal Analyst: Bill Bowerman

S0506\s1119sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.