

HOUSE BILL NO. 5737

February 15, 2022, Introduced by Reps. Kuppa and Calley and referred to the Committee on Local Government and Municipal Finance.

A bill to amend 1965 PA 261, entitled

"An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of commissioners with respect to county and regional parks and recreation commissions,"

by amending section 14 (MCL 46.364), as amended by 1994 PA 84.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 14. (1) A county or regional commission may adopt, amend,
2 or repeal rules for the protection, regulation, and control of its
3 facilities and areas with the approval of the county board or

1 boards of commissioners.

2 (2) ~~Rules shall~~ **A rule adopted or amended under subsection (1)**
 3 **must** not be ~~contrary to or inconsistent~~ with the laws of this
 4 state. ~~Rules shall~~ **A rule does** not take effect until all of the
 5 following occur:

6 (a) ~~The elapse of 9 days after~~ **Nine days have elapsed from the**
 7 **date** the ~~rules are~~ **rule is** adopted by the county or regional
 8 commission.

9 ~~(b) The publication of the rules once a week for 2 consecutive~~
 10 ~~weeks in a newspaper of general circulation in the county in which~~
 11 ~~the area or facility to which the rules apply is located.~~

12 (b) ~~(c) The posting of a~~ **A copy of the rules** **rule has been**
 13 **posted** near each gate or principal entrance to ~~the~~ **each** area or
 14 facility **to which the rule applies.**

15 (3) Except as provided in subsection (4), a person who
 16 violates a rule adopted by a county or regional commission is
 17 guilty of a misdemeanor punishable by **imprisonment for not more**
 18 **than 90 days or by** a fine of not more than \$100.00 and costs of
 19 prosecution, ~~or by imprisonment for not more than 90 days, or both.~~

20 (4) ~~The~~ **Except as provided in subsection (5)**, operation of a
 21 vehicle on a recreational trailway at a time, in a place, or in a
 22 manner prohibited by a rule adopted by a county or regional
 23 commission is a municipal civil infraction, whether or not so
 24 designated by the rule. A civil fine ordered for a municipal civil
 25 infraction described in this subsection ~~shall~~ **must** not exceed the
 26 maximum amount of a fine provided by the rule or \$500.00, whichever
 27 is less. ~~An act or omission~~

28 (5) **A violation** described in ~~this~~ subsection (4) is not a
 29 municipal civil infraction if that ~~act or omission~~ **violation**

1 constitutes a ~~violation or crime~~ **or other violation** that is
 2 excluded from the definition of municipal civil infraction in
 3 section 113 of the revised judicature act of 1961, ~~Act No. 236 of~~
 4 ~~the Public Acts of 1961, being section 600.113 of the Michigan~~
 5 ~~Compiled Laws.~~ **1961 PA 236, MCL 600.113.**

6 **(6)** ~~(5)~~ A county or regional commission may appoint park
 7 rangers. ~~who may be deputized by a~~ **A sheriff may deputize a park**
 8 **ranger** to enforce the laws of this state. Whether deputized or not,
 9 **a park rangers-ranger** may enforce the rules adopted by a county or
 10 regional commission and ~~have~~ **has** the powers, privileges, and
 11 immunities conferred upon peace officers by the laws of this state.
 12 **A county or regional commission shall not appoint a park ranger**
 13 ~~shall not be appointed~~ unless he or she meets the minimum standards
 14 established by the ~~law enforcement officers training council.~~ **Park**
 15 ~~rangers~~ **Michigan commission on law enforcement standards created**
 16 **under section 3 of the Michigan commission on law enforcement**
 17 **standards act, 1965 PA 203, MCL 28.603. A park ranger** shall
 18 exercise ~~their~~ **his or her** authority and ~~powers~~ only on lands,
 19 waters, and property administered by or under the jurisdiction of a
 20 **the appointing** county or regional commission.

21 **(7)** ~~(6)~~ A county or regional commission may contract with
 22 ~~townships, cities, villages, or sheriffs~~ **a township, city, village,**
 23 **or sheriff** for police services required under this section and may
 24 appropriate and expend funds for those services.