



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 1170 (Substitute S-1 as reported)
Sponsor: Senator Sue Shink
Committee: Natural Resources and Agriculture

CONTENT

The bill would amend the Shopping Reform and Modernization Act to do the following:

- Modify the list of consumer items exempt from the requirement to display the total price of an item at retail at the place of the sale.
- Require a consumer item that was sold by weight or volume and was not in a package or container to have the price per weight or price per volume displayed.
- Modify how violations of the Act would be penalized to allow the Director of the Department of Agriculture and Rural Development (MDARD) to enter into a consent agreement with a violator for the assessment of a civil fine.
- Prescribe civil fines for a first violation and subsequent violations of the Act.
- Increase, from \$1,000 to \$5,000, the maximum civil fine that a court could assess for violations of the Act and allow a court to assess the actual costs of investigation and the amount of any economic benefit associated with the violation in addition to the fine.
- Require civil fines to be deposited into the General Fund and credited to MDARD for enforcement the Act.
- Allow the MDARD Director to regularly inspect a person subject to the Act and prohibit MDARD from charging for an inspection unless the inspection was a reinspection for noncompliance or was performed upon request of a person.
- Allow the Director to establish and collect fees and expenses for special services.

MCL 445.321 et al.

BRIEF RATIONALE

Currently, for violations under the Act, MDARD has investigation authority, and the Attorney General has enforcement authority. According to testimony before the Senate Committee on Natural Resources and Agriculture, the current process does not allow MDARD to fully regulate the Act's requirements, including follow-ups with retailers to ensure retailers have made necessary corrections. Accordingly, it has been suggested to allow MDARD to inspect and enforce the Act's requirements for a consistent and expedient process.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 12-18-24

Fiscal Analyst: Bruce R. Baker
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