

HOUSE BILL No. 6572

September 20, 2006, Introduced by Reps. McDowell, Angerer, Byrum, Donigan, Hopgood, Kathleen Law, Anderson, Alma Smith, Condino, Miller, Plakas, Gonzales, Bieda, Gleason, Leland, Vagnozzi, Cushingberry, Tobocman, Polidori, Espinoza, Bennett and Lemmons, III and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 9661.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9661. (1) A PERSON WHO VIOLATES THIS PART BY FAILING TO
2 REPORT A CLINICAL TRIAL CONDUCTED OR SPONSORED TO THE DEPARTMENT AS
3 REQUIRED UNDER SECTION 9653 OR FAILS TO REPORT IN THE FORM
4 PRESCRIBED UNDER SECTION 9655 IS SUBJECT TO A CIVIL PENALTY AS
5 FOLLOWS:

6 (A) FIRST VIOLATION -- A FINE OF NOT MORE THAN \$250,000.00.

7 (B) SECOND VIOLATION -- A FINE OF NOT MORE THAN \$500,000.00.

8 (C) THIRD AND SUBSEQUENT VIOLATIONS -- A FINE OF NOT MORE THAN
9 \$1,000,000.00.

1 (2) THE DIRECTOR SHALL ADVISE THE ATTORNEY GENERAL OF THE
2 FAILURE OF A PERSON TO PAY A CIVIL FINE IMPOSED UNDER THIS SECTION.
3 THE ATTORNEY GENERAL SHALL BRING A CIVIL ACTION IN A COURT OF
4 COMPETENT JURISDICTION TO RECOVER THE FINE AND COSTS AND FEES
5 INCLUDING ATTORNEY FEES. CIVIL PENALTIES COLLECTED SHALL BE PAID TO
6 THE STATE TREASURY.

7 Enacting section 1. This amendatory act does not take effect
8 unless all of the following bills of the 93rd Legislature are
9 enacted into law:

10 (a) Senate Bill No.____ or House Bill No. 6568(request no.
11 06447'06).

12 (b) Senate Bill No.____ or House Bill No. 6569(request no.
13 06448'06).

14 (c) Senate Bill No.____ or House Bill No. 6570(request no.
15 06449'06).

16 (d) Senate Bill No.____ or House Bill No. 6571(request no.
17 06450'06).

18 (e) Senate Bill No.____ or House Bill No. 6573(request no.
19 06452'06).