

Legislative Analysis



AGRICULTURAL LABOR CAMPS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 195 as passed by the Senate

Sponsor: Sen. Valde Garcia

House Committee: Agriculture

Senate Committee: Agriculture, Forestry and Tourism

Complete to 5-17-05

A SUMMARY OF SENATE BILL 195 AS PASSED BY THE SENATE 5-3-05

Part 124 of the Public Health Code regulates the operation of agricultural labor camps, which provide housing to migrant workers, and requires individuals maintaining a camp to obtain a license issued by the Department of Agriculture. Generally speaking, departmental regulations specify that camps may only be operated between April 1st and November 15th of any year.

Under Part 124, a person who violates that part is guilty of a misdemeanor punishable by imprisonment of not more than 90 days and/or a fine of not more than \$500, in addition to possible license suspension or revocation. Additionally, the Department of Agriculture may maintain an action for an injunction restraining or preventing the establishment, conduct, management, maintenance, or operation of an agricultural labor camp without a license.

Senate Bill 195 would add that, in addition to other remedies, a person who operates an agricultural labor camp without a license would be subject to an administrative civil fine of not more than \$1,000. Each day that a person operates without a license would be considered a separate violation, although the total amount of fines imposed for continued violations could not exceed \$10,000. Fine revenue would be deposited into the Migrant Labor Housing Fund, which provides grants for extensive renovations made to camp facilities.

Finally, the bill specifies that a person who operates a labor camp without a license would not be in violation of Part 124 if the failure to possess a valid license is because the MDA has not processed a license application in a "timely manner." Under Part 124, each license application must be submitted to the department at least 30 days prior to the first day the camp is to be operated in a given year and include, among other required information, a description of the housing facilities and sanitary, water, cooking, and sewage systems to be used at the camp.

MCL 333.12411

FISCAL IMPACT:

A fiscal analysis is in process.

Legislative Analyst: Mark Wolf
Fiscal Analyst: William E. Hamilton

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