



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 195 (Substitute S-1 as passed the Senate)  
Sponsor: Senator Valde Garcia  
Committee: Agriculture, Forestry and Tourism

Date Completed: 4-20-05

### **CONTENT**

The bill would amend the Public Health Code to establish an administrative fine of up to \$1,000 for operating an agricultural labor camp without a license. Each day a person operated without a license would be a separate violation, but the total fine for continued noncompliance could not exceed \$10,000. All fines would have to be credited to the Migratory Labor Housing Fund.

The Code prohibits a person from operating an agricultural labor camp, or causing or allowing an agricultural labor camp to be occupied and used as one, without a license. The bill specifies that a person would not be in violation of this provision if the sole reason the person was operating the camp without a license was the failure of the Michigan Department of Agriculture (MDA) to respond within a timely manner to an application submitted in accordance with Section 12412 of the Code. (Under that section, a person wishing to operate an agricultural labor camp must submit an application to the MDA on a form and in a manner prescribed by the Department; the application must contain specific information and be submitted at least 30 days before the first day the proposed camp is to be operated.)

The Code provides for the Migratory Labor Housing Fund to receive funds appropriated by the Legislature, and allows an employer of migratory farm laborers to receive a grant from the Fund of up to 50% of the costs of an extensive remodeling that do not exceed \$10,000. Under the bill, the Fund also would receive fines collected from the operators of unlicensed camps. The bill states that money in the Fund at the close of a fiscal year would remain in the Fund and not lapse to the General Fund.

(The Act defines "agricultural labor camp" as a tract of land and all tents, vehicles, buildings, or other structures pertaining to it, part of which is established, occupied, or used as living quarters for five or more migratory laborers engaged in agricultural activities, including related food processing.)

MCL 333.12411 & 333.12431

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

The bill could increase State revenue associated with the creation of the administrative civil fine for operating an agricultural labor camp without a license. It is unknown how many fines would be assessed annually.

Fiscal Analyst: Craig Thiel

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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.