

HOUSE BILL No. 4612

April 14, 2005, Introduced by Reps. Bieda, Vagnozzi, Gleason, Nofs, Plakas, Condino, Rocca, Gaffney, Shaffer, Waters, Stahl, Hummel and Vander Veen and referred to the Committee on Regulatory Reform.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 353b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 353B. (1) AS USED IN THIS SECTION:**

2 **(A) "CONTRACTOR" MEANS THAT TERM AS DEFINED IN SECTION 103 OF**
3 **THE CONSTRUCTION LIEN ACT, 1980 PA 497, MCL 570.1103.**

4 **(B) "WAGES" MEANS THAT TERM AS DEFINED IN SECTION 106 OF THE**
5 **CONSTRUCTION LIEN ACT, 1980 PA 497, MCL 570.1106.**

6 **(2) A CONTRACTOR WHO KNOWINGLY COERCES OR ASSISTS A PERSON**
7 **EARNING WAGES TO FALSELY DECLARE HIMSELF OR HERSELF TO BE AN**
8 **INDEPENDENT CONTRACTOR WITH INTENT TO EVADE ANY APPLICABLE STATE OR**

1 FEDERAL LAW IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT
2 FOR NOT MORE THAN 93 DAYS OR A FINE OF NOT MORE THAN \$10,000.00, OR
3 BOTH.

4 (3) THIS PROVISION IS CONSIDERED INDEPENDENT AND CUMULATIVE OF
5 ANY OTHER REMEDIES OR PENALTIES PROVIDED BY LAW.