

HOUSE BILL No. 5764

January 21, 2010, Introduced by Reps. Switalski, Liss, Cushingberry, Tlaib and Haugh and referred to the Committee on Urban Policy.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
(MCL 400.1 to 400.119b) by adding section 14k.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 14K. (1) A MERCHANT OR VENDOR WHO HAS BEEN APPROVED BY
2 THE UNITED STATES DEPARTMENT OF AGRICULTURE TO PARTICIPATE IN THE
3 FOOD ADMINISTRATION PROGRAM SHALL BE GRANTED A CONTRACT AS A
4 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND
5 CHILDREN (WIC) PROVIDER IF THE MERCHANT OR VENDOR MEETS ALL OF THE
6 WIC PRICING REQUIREMENTS.

7 (2) IF THE DEPARTMENT DETERMINES THAT A MERCHANT OR VENDOR HAS
8 OVERCHARGED THE STATE FOR A FOOD OR NUTRITION EDUCATION PRODUCT
9 UNDER THE WIC PROGRAM, THE MERCHANT OR VENDOR SHALL BE SUBJECT TO

1 THE FOLLOWING PENALTIES:

2 (A) FOR THE FIRST OVERCHARGE, A FINE OF NOT MORE THAN \$500.00
3 AND AN OPPORTUNITY TO CORRECT THE OVERCHARGE.

4 (B) FOR THE SECOND INSTANCE OF OVERCHARGE, A FINE OF NOT MORE
5 THAN \$1,000.00 AND AN OPPORTUNITY TO CORRECT THE OVERCHARGE.

6 (C) FOR THE THIRD INSTANCE OF OVERCHARGE, A FINE OF NOT MORE
7 THAN \$2,000.00, REVOCATION OF THE WIC CONTRACT, AND REVOCATION OF
8 AUTHORIZATION TO PARTICIPATE IN THE FOOD ADMINISTRATION PROGRAM.