

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.5532 Civil or criminal fines; factors to be considered in determining amount.

Sec. 5532.

- (1) A civil or criminal fine assessed, sought, or agreed upon under this part shall be appropriate to the violation.
- (2) In determining the amount of any fine levied under this part, all of the following factors shall be considered:
 - (a) The size of the business.
 - (b) The economic impact of the penalty on the business.
 - (c) The violator's full compliance history and good faith efforts to comply.
 - (d) The duration of the violation as established by any credible evidence, including evidence other than the applicable test method.
 - (e) Payment by the violator of penalties previously assessed for the same violation.
 - (f) The economic benefit of noncompliance.
 - (g) The seriousness of the violation.
 - (h) Such other factors as justice may require.

History: 1994, Act 451, Eff. Mar. 30, 1995

Popular Name: Act 451

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