

**STATE OF MICHIGAN  
93RD LEGISLATURE  
REGULAR SESSION OF 2006**

Introduced by Senators Van Woerkom and Cropsey

# **ENROLLED SENATE BILL No. 1119**

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," (MCL 600.101 to 600.9947) by adding section 2975.

*The People of the State of Michigan enact:*

Sec. 2975. (1) The attorney general may commence an action against a person who develops or maintains a website or page on a website for the purpose of publishing instructions for the manufacture or creation of methamphetamine or information on how to obtain substances that may be used in the manufacture or creation of methamphetamine.

(2) The court in an action brought under subsection (1) may order 1 or more of the following forms of relief:

- (a) Injunctive or other equitable relief, as appropriate.
- (b) Actual damages sustained by this state or the residents of this state that are caused by the publication.
- (c) Punitive damages that the court determines are just and equitable.
- (d) Actual attorney fees and costs.

(3) This section does not apply if the published information is only on how to obtain substances that may be lawfully possessed in this state and the purpose of the website is to provide information on obtaining the substances only for lawful purposes and in a lawful manner.

(4) As used in this section:

- (a) "Internet" means that term as defined in 47 USC 230.
- (b) "Methamphetamine" means the substance described in section 7214(c)(ii) of the public health code, 1978 PA 368, MCL 333.7214.
- (c) "Website" means a collection of pages of the world wide web or internet, usually in HTML format.

Enacting section 1. This amendatory act takes effect October 1, 2006.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Gay E. Randall*

Clerk of the House of Representatives

Approved .....

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Governor