

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 123

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by amending the heading of part 172 and
by adding section 17204.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 172. ~~MERCURY THERMOMETERS~~ MERCURY-ADDED PRODUCTS

2 SEC. 17204. (1) BEGINNING JANUARY 1, 2008, A PERSON SHALL NOT
3 SELL, OFFER FOR SALE, OR OFFER FOR PROMOTIONAL PURPOSES IN THIS
4 STATE OR FOR USE IN THIS STATE A BLOOD PRESSURE RECORDING,
5 MEASURING, OR MONITORING DEVICE THAT CONTAINS MERCURY OR A MERCURY
6 COMPOUND INTENTIONALLY ADDED TO THE DEVICE.

7 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), BEGINNING JANUARY 1,
8 2009, A PERSON SHALL NOT USE A DEVICE DESCRIBED IN SUBSECTION (1)

Senate Bill No. 123 (H-1) as amended December 12, 2006
IN THIS STATE.

(3) SUBSECTION (2) DOES NOT APPLY TO A BLOOD PRESSURE
RECORDING, MEASURING, OR MONITORING DEVICE THAT CONTAINS MERCURY OR
A MERCURY ADDED COMPOUND IF ALL OF THE FOLLOWING REQUIREMENTS ARE
MET:

(A) THE BLOOD PRESSURE RECORDING, MEASURING, OR MONITORING
DEVICE WAS PURCHASED PRIOR TO THE DATE OF ENACTMENT OF THE
AMENDATORY ACT THAT ADDED THIS SECTION.

(B) THE BLOOD PRESSURE RECORDING, MEASURING, OR MONITORING
DEVICE IS USED EXCLUSIVELY IN A PRIVATE RESIDENCE [OR IS USED EXCLUSIVELY
IN A HEALTH CARE FACILITY FOR THE PURPOSE OF CALIBRATING BLOOD PRESSURE
RECORDING, MEASURING, OR MONITORING DEVICES THAT DO NOT CONTAIN MERCURY
OR A MERCURY ADDED COMPOUND AND IS KEPT IN A LOCKED AREA WITHIN THAT
HEALTH CARE FACILITY THAT IS INACCESSIBLE TO THE GENERAL PUBLIC].

Enacting section 1. This amendatory act does not take effect
unless all of the following bills of the 93rd Legislature are
enacted into law:

(a) Senate Bill No. 124.

(b) Senate Bill No. 186.