

HOUSE BILL No. 5867

March 14, 2006, Introduced by Reps. Farrah, Farhat, Kolb, Taub, Brown, Hood, Marleau, Hansen, Caswell, Gaffney, Hildenbrand, LaJoy, Schuitmaker, Kahn, Polidori, Nofs, Sheltrown, Caul, Baxter, Whitmer, Byrnes, Huizenga, Stahl, Proos, Rocca, Wenke, Garfield, Sak, Gleason, Pastor, Angerer, Stewart, Jones, Booher, Gillard, McDowell, Byrum, Zelenko, Vagnozzi, Alma Smith, Lipsey, Nitz, Mortimer, Ball, Amos, Brandenburg, Bieda, Moolenaar, Stakoe, David Law, Mayes, Pavlov, Palsrok and Cheeks and referred to the Committee on Appropriations.

A bill to amend 1967 PA 227, entitled

"An act to regulate the inspection, construction, installation, alteration, maintenance, repair and operation of elevators and the licensing of elevator contractors; to prescribe the functions of the director of labor; to create, and prescribe the functions of, the elevator safety board; to provide penalties for violations of the act; and to repeal certain acts and parts of acts,"

by amending section 20 (MCL 408.820).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 20. (1) ~~It is unlawful for a~~ A person ~~to~~ **SHALL NOT**
2 smoke or ~~to~~ carry lighted tobacco in any form in a passenger
3 elevator in any building, structure, or premises in this state. A
4 person ~~having~~ **WHO HAS** control or management of any building,
5 structure, or premises equipped with a passenger elevator shall not
6 permit smoking or the carrying of lighted tobacco in any form in

1 ~~any such~~ **THE** elevator.

2 (2) The owner, occupant, firm, or corporation ~~having~~ **THAT**
3 **HAS** control or management of a building, structure, or premises
4 equipped with 1 or more passenger elevators shall **DO BOTH OF THE**
5 **FOLLOWING:**

6 (a) Post in each elevator a sign reading, "Smoking prohibited
7 by law - violators subject to fine of \$50.00 or 90 ~~days~~ **DAYS'**
8 imprisonment".

9 (b) Provide and locate near each elevator entrance at each
10 floor a noncombustible receptacle approved by the ~~state fire~~
11 ~~marshal~~ **BUREAU OF FIRE SERVICES CREATED IN SECTION 1B OF THE FIRE**
12 **PREVENTION CODE, 1941 PA 207, MCL 29.1B,** for the proper disposal of
13 cigar and cigarette stubs, pipe ash, or lighted tobacco in any
14 form.

15 Enacting section 1. This amendatory act does not take effect
16 unless Senate Bill No. 1133 or House Bill No.____ (request no.
17 03197'05 ***) of the 93rd Legislature is enacted into law.