

Act No. 321
Public Acts of 2008
Approved by the Governor
December 17, 2008
Filed with the Secretary of State
December 18, 2008
EFFECTIVE DATE: December 18, 2008

**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2008**

Introduced by Senators Brown, Barcia, Allen, Van Woerkom, Cropsey and Hardiman

ENROLLED SENATE BILL No. 1130

AN ACT to amend 1984 PA 44, entitled "An act to provide purity and quality standards for motor fuels; to regulate the transfer, sale, dispensing, or offering motor fuels for sale; to provide for an inspection and testing program; to provide for the powers and duties of certain state agencies; to prescribe certain powers of the governor; to provide for the licensing of certain persons engaged in the transfer, sale, dispensing, or offering of motor fuels for sale; to regulate stage I vapor-recovery systems at certain facilities; to provide for fees; to make appropriations; and to provide remedies and prescribe fines and penalties," (MCL 290.641 to 290.650d) by adding section 5a.

The People of the State of Michigan enact:

Sec. 5a. (1) The renewable fuels fund is created within the state treasury. The state treasurer may receive money or other assets from any source for deposit into the renewable fuels fund. The state treasurer shall direct the investment of the renewable fuels fund. The state treasurer shall credit to the fund interest and earnings from fund investments. Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(2) The state treasurer shall disburse money in the fund described in subsection (1) on a quarterly basis to the department. Beginning not later than February 1, 2009, the department shall submit to the state treasurer a summary of expenditures during the preceding year of the money received under this section.

(3) The department shall be the administrator of the fund for auditing purposes.

(4) The department shall administer the fund to do 1 or more of the following:

(a) Promote the production and use of alternative fuels.

(b) Award grants to selected recipients to improve the production of alternative fuels in this state.

(c) Encourage the development of motor fuel quality standards for renewable fuels under this act.

(d) Provide incentives to retailers who sell renewable fuels.

(e) Promote the sale of vehicles that can be powered by renewable fuels.

(5) As used in this section:

(a) "Renewable fuels" includes, but is not limited to, biodiesel, biodiesel blend, hydrogen fuel, and E85 fuel.

(b) "E85 fuel" means that term as defined in section 78 of the Michigan strategic fund act, 1984 PA 270, MCL 125.2078.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved _____

Governor