

SENATE BILL No. 1352

May 26, 2010, Introduced by Senators BRATER, PRUSI, JACOBS, SCOTT, WHITMER, CLARK-COLEMAN, BASHAM, HUNTER, ANDERSON, OLSHOVE, THOMAS, SWITALSKI, CHERRY, BARCIA and GLEASON and referred to the Committee on Government Operations.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 14721 (MCL 324.14721), as added by 2004 PA 526, and by adding section 14723a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 14721. (1) As used in this subpart:
- 2 (A) "DECA-BDE" MEANS DECABROMODIPHENYL ETHER.
- 3 (B) ~~(a)~~"Department" means the department of ~~environmental~~
- 4 ~~quality.~~**NATURAL RESOURCES AND ENVIRONMENT.**
- 5 (C) ~~(b)~~"Octa-BDE" means octabromodiphenyl ether.
- 6 (D) ~~(c)~~"PBDE" means polybrominated diphenyl ether.
- 7 (E) ~~(d)~~"Penta-BDE" means pentabromodiphenyl ether.
- 8 (2) This subpart may be cited as the "Mary Beth Doyle PBDE

1 act".

2 SEC. 14723A. (1) SUBJECT TO SUBSECTION (2), A PERSON SHALL NOT
3 MANUFACTURE, SELL, OR DISTRIBUTE FOR SALE WITHIN THIS STATE ANY OF
4 THE FOLLOWING THAT CONTAIN DECA-BDE:

5 (A) BEGINNING DECEMBER 31, 2010, ANY OF THE FOLLOWING:

6 (i) A MATTRESS OR UPHOLSTERED FURNITURE DESIGNED FOR
7 RESIDENTIAL USE.

8 (ii) ANY ELECTRICAL OR ELECTRONIC EQUIPMENT.

9 (B) BEGINNING DECEMBER 31, 2012, ALL OTHER PRODUCTS NOT
10 DESCRIBED IN SUBDIVISION (A).

11 (2) SUBSECTION (1) DOES NOT APPLY TO MOTOR VEHICLES OR OTHER
12 TRANSPORTATION EQUIPMENT, MILITARY EQUIPMENT, OR COMPONENTS WITHIN
13 MOTOR VEHICLES OR OTHER TRANSPORTATION OR MILITARY EQUIPMENT.

14 (3) BEGINNING DECEMBER 31, 2013, A PERSON SHALL NOT
15 MANUFACTURE, SELL, OR DISTRIBUTE FOR SALE WITHIN THIS STATE MOTOR
16 VEHICLES OR OTHER TRANSPORTATION EQUIPMENT, MILITARY EQUIPMENT, OR
17 COMPONENTS WITHIN MOTOR VEHICLES OR OTHER TRANSPORTATION OR
18 MILITARY EQUIPMENT THAT CONTAIN DECA-BDE. HOWEVER, THIS SUBSECTION
19 DOES NOT APPLY TO THE MANUFACTURE, SALE, OR DISTRIBUTION OF MOTOR
20 VEHICLE SERVICE PARTS FOR MOTOR VEHICLES MANUFACTURED PRIOR TO
21 DECEMBER 31, 2013.

22 (4) A PERSON THAT IS IN POSSESSION OF A PRODUCT DESCRIBED IN
23 SUBSECTION (1) OR (3) ON THE APPLICABLE DATE LISTED IN SUBSECTION
24 (1) OR (3) MAY SELL OR OTHERWISE DISPOSE OF THAT PRODUCT.

25 (5) THIS SECTION DOES NOT RESTRICT A PERSON FROM TRANSPORTING
26 A PRODUCT DESCRIBED IN SUBSECTION (1) OR (3) OR STORING THAT
27 PRODUCT FOR LATER DISTRIBUTION OUTSIDE OF THIS STATE.

1 (6) BEGINNING IN 2011 AND EACH YEAR THEREAFTER, A PERSON THAT
2 PRODUCED DECA-BDE FOR USE IN A PRODUCT SOLD IN THIS STATE OR THAT
3 SOLD DECA-BDE FOR USE IN THIS STATE DURING THE PRIOR YEAR SHALL
4 SUBMIT A REPORT TO THE DEPARTMENT THAT DETAILS THE QUANTITY OF
5 DECA-BDE THAT WAS PRODUCED OR SOLD BY THAT PERSON IN THE UNITED
6 STATES DURING THE PRIOR YEAR.

7 Enacting section 1. Section 14724 of the natural resources and
8 environmental protection act, 1994 PA 451, MCL 324.14724, is
9 repealed.