

SENATE BILL No. 764

October 20, 2011, Introduced by Senators KAHN, ANDERSON, WARREN, PAPPAGEORGE and BIEDA and referred to the Committee on Government Operations.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 5491 (MCL 333.5491), as added by 2007 PA 159.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5491. As used in this part:

2 (a) "Child care article" means a product designed or intended
3 by the manufacturer to facilitate the sleep, relaxation, or feeding
4 of children or to help children with sucking or teething.

5 (b) "Children" means individuals who are 7 years old or
6 younger.

7 (c) "Consumer" means that term as used in the consumer product
8 safety act, 15 USC 2051 to ~~2085~~—2089.

9 (D) "HEAVY METAL" MEANS CADMIUM, LEAD, OR MERCURY.

10 (E) ~~(d)~~—"Person" means an individual, partnership,
11 corporation, association, governmental entity, or other legal

1 entity.

2 **(F)** ~~(e)~~-"Toxic substance" means a **COATING OR OTHER** substance
3 that contains lead, ~~or a coating on an item that contains lead, so~~
4 ~~that the lead content is more than 0.06% of the total~~ **BY weight OF**
5 **1 OR MORE HEAVY METALS**. Toxic substance does not include glass or
6 crystal decorative components.

7 **(G)** ~~(f)~~-"Toy" means an article, **INCLUDING JEWELRY**, designed
8 and made for the amusement of a minor or for the minor's use in
9 play.