

# HOUSE BILL No. 5339

February 10, 2016, Introduced by Reps. Lucido, Barrett and Kosowski and referred to the Committee on Military and Veterans Affairs.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5701 (MCL 333.5701), as added by 1987 PA 48.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 5701. (1) As used in this part:

2           (a) "Agent orange" means the chemical herbicide made from  
3 chemicals known as 2,4-Dichlorophenoxyacetic acid and its esters,  
4 or 2,4-D, and Trichlorophenoxyacetic acid and its esters, or 2,4,5-  
5 T.

6           (b) "Chemical agent" means a chemical herbicide or defoliant  
7 other than agent orange, or a chemical weapon, which chemical  
8 herbicide, defoliant, or weapon is of the type used by the armed  
9 forces of the United States.

10           (c) "Commission" means the agent orange commission created in  
11 section 5731.

1 (d) "Department" means the department **OF HEALTH AND HUMAN**  
2 **SERVICES** in cooperation with the veterans' service offices.

3 (e) "Dioxin" means the chemicals known as 2,3,7,8-  
4 Tetrachlorodibenzo-p-dioxin, or 2,3,7,8-TCDD.

5 (f) "Hospital" means a hospital licensed pursuant to article  
6 17.

7 (g) "Information resource center" means the agent orange  
8 information resource center created in section 5745.

9 (h) "Physician" means a physician licensed pursuant to article  
10 15.

11 (i) "Veteran" means ~~a person who served in the armed forces of~~  
12 ~~the United States.~~ **THAT TERM AS DEFINED IN SECTION 1 OF 1965 PA 190,**  
13 **MCL 35.61.**

14 (j) "Vietnam-era veteran" means a ~~person~~ **VETERAN** who served in  
15 the armed forces of the United States between 12:01 a.m., January  
16 1, 1961, and 12:01 a.m., September 1, 1973, and who meets either of  
17 the following criteria:

18 (i) Has been a resident of this state continuously since ~~the~~  
19 ~~effective date of this part.~~ **JUNE 11, 1987.**

20 (ii) Is a resident of this state at the time he or she begins  
21 participating in testing or other activities under this part, and  
22 was a resident of this state at the time of induction into the  
23 armed forces of the United States.

24 (2) In addition, article 1 contains general definitions and  
25 principles of construction applicable to all articles in this code.

26 Enacting section 1. This amendatory act takes effect 90 days  
27 after the date it is enacted into law.

1           Enacting section 2. This amendatory act does not take effect  
2 unless Senate Bill No.\_\_\_\_ or House Bill No. 5332 (request no.  
3 02698'15 \*) of the 98th Legislature is enacted into law.