

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 877

A bill to establish safety and security practices for certain persons involved in the retail or wholesale sale or use of certain fertilizers; and to provide certain powers and duties for certain state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "anhydrous ammonia security act".

3 Sec. 3. As used in this act:

4 (a) "AASSPs" means anhydrous ammonia safety and security
5 practices established by the commission under section 5.

6 (b) "Anhydrous ammonia" means an inorganic compound that
7 consists of 1 nitrogen atom and 3 hydrogen atoms and has a chemical
8 formula of NH_3 . Anhydrous ammonia is ammonia gas in a compressed or

1 liquefied form but is not aqueous ammonia, which is a solution of
2 ammonia gas in water.

3 (c) "Commission" means the commission of agriculture.

4 (d) "End user" means the person actually using anhydrous
5 ammonia for a legal purpose.

6 (e) "Seller" means a person selling anhydrous ammonia at
7 wholesale or retail to an end user for a legal purpose.

8 Sec. 5. (1) Within 6 months after the effective date of this
9 act, the commission shall issue AASSPs regarding the security of
10 anhydrous ammonia in the possession of sellers and end users in
11 this state. In addition to any other practices included, the AASSPs
12 shall provide that both of the following, either separately or in
13 combination as the commission determines advisable, constitute safe
14 and secure storage practices for anhydrous ammonia:

15 (a) Storage in a tank that is properly equipped with a
16 functioning tank or valve lock that is used at all times except
17 when the seller or end user is taking anhydrous ammonia from the
18 tank or filling the tank.

19 (b) Storage with a substance added to the anhydrous ammonia
20 that is or that contains a dye that will, on release from the
21 container that holds the anhydrous ammonia, stain objects that it
22 comes in contact with, including skin and clothing, in a highly
23 visible manner.

24 (2) In establishing the AASSPs, the commission shall give due
25 consideration to available department of agriculture information
26 and written recommendations from the Michigan state university
27 college of agriculture and natural resources extension, the

1 department of state police, local law enforcement agencies,
2 anhydrous ammonia manufacturers, retailers, and end users, and
3 other professional and industry organizations.

4 Enacting section 1. This act does not take effect unless House
5 Bill No. 4108 of the 93rd Legislature is enacted into law.