

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 542

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 8316b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 8316B. (1) THE DEPARTMENT SHALL MAINTAIN A VOLUNTARY
2 REGISTRY OF INDIVIDUALS WHO, DUE TO A MEDICALLY DOCUMENTED
3 CONDITION, ARE REQUIRED TO BE NOTIFIED BEFORE THE APPLICATION OF A
4 LAWN OR ORNAMENTAL PESTICIDE, OTHER THAN A GENERAL-USE READY-TO-USE
5 PESTICIDE, BUT ONLY IF THE APPLICATION IS ON PROPERTY ADJACENT TO
6 OR WITHIN A PHYSICIAN-RECOMMENDED DISTANCE FROM THE PROPERTY ON
7 WHICH THE INDIVIDUAL'S PRIMARY RESIDENCE IS LOCATED. THE REGISTRY
8 SHALL CONTAIN A LIST OF THOSE PROPERTIES ADJACENT TO OR WITHIN A
9 PHYSICIAN-RECOMMENDED DISTANCE FROM THE INDIVIDUAL'S PRIMARY

Senate Bill No. 542 as amended June 12, 2018

1 RESIDENCE. THE NOTIFICATION TO THE INDIVIDUAL LISTED IN THE
2 REGISTRY SHALL BE PROVIDED BY THE MEANS PROVIDED IN THE REGISTRY
3 AND SHALL STATE THAT A PESTICIDE APPLICATION IS SCHEDULED ON 1 OR
4 MORE OF THE PROPERTIES LISTED IN THE REGISTRY.

5 (2) THE NOTIFICATION REQUIREMENTS DESCRIBED IN SUBSECTION (1)
6 AND ANY YARD MARKER REQUIREMENTS PROVIDED BY RULE DO NOT APPLY IF
7 THE PESTICIDE IS APPLIED ONLY ON OR WITHIN 10 FEET OF A STRUCTURE
8 LOCATED ON THE PROPERTY ON WHICH THE PESTICIDE APPLICATION TAKES
9 PLACE AND IS APPLIED TO PREVENT, DESTROY, REPEL, OR MITIGATE PESTS
10 ON THE STRUCTURE.

11 (3) AS USED IN SUBSECTION (1):

12 (A) "ADJACENT TO" MEANS EITHER OF THE FOLLOWING:

13 (i) SHARING A COMMON BOUNDARY LINE OR PROPERTY CORNER WITH.

14 (ii) LOCATED DIRECTLY ACROSS AN UNDIVIDED ROAD, STREAM, OR
15 RIGHT-OF-WAY FROM.

16 (B) "PHYSICIAN-RECOMMENDED DISTANCE" MEANS A SPECIFIED
17 DISTANCE, NOT MORE THAN [100 FEET FROM A LINEAR BOUNDARY LINE],
18 CONSIDERED NECESSARY AND
19 SUBSTANTIATED BY A PHYSICIAN.

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