

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.