

Act No. 270
Public Acts of 2018
Approved by the Governor
June 28, 2018
Filed with the Secretary of State
June 29, 2018
EFFECTIVE DATE: September 27, 2018

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Senator Casperson

ENROLLED SENATE BILL No. 542

AN ACT to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” (MCL 324.101 to 324.90106) by adding section 8316b.

The People of the State of Michigan enact:

Sec. 8316b. (1) The department shall maintain a voluntary registry of individuals who, due to a medically documented condition, are required to be notified before the application of a lawn or ornamental pesticide, other than a general-use ready-to-use pesticide, but only if the application is on property adjacent to or within a physician-recommended distance from the property on which the individual’s primary residence is located. The registry shall contain a list of those properties adjacent to or within a physician-recommended distance from the individual’s primary residence. The notification to the individual listed in the registry shall be provided by the means provided in the registry and shall state that a pesticide application is scheduled on 1 or more of the properties listed in the registry.

(2) The notification requirements described in subsection (1) and any yard marker requirements provided by rule do not apply if the pesticide is applied only on or within 10 feet of a structure located on the property on which the pesticide application takes place and is applied to prevent, destroy, repel, or mitigate pests on the structure.

(3) As used in subsection (1):

(a) “Adjacent to” means either of the following:

(i) Sharing a common boundary line or property corner with.

(ii) Located directly across an undivided road, stream, or right-of-way from.

(b) “Physician-recommended distance” means a specified distance, not more than 100 feet from a linear boundary line, considered necessary and substantiated by a physician.

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

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor