



Senate Fiscal Agency  
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BILL ANALYSIS

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House Bill 4399 (Substitute S-2 as reported)  
Sponsor: Representative Lisa Wojno  
House Committee: Health Policy  
Senate Committee: Health Policy

### **CONTENT**

The bill would amend the Public Health Code to prohibit a person from selling or offering for sale or use in Michigan a lunch box that contained a lead-bearing substance. The prohibition would not apply to the sale of a collectible lunch box or any other lunch box no longer intended to be used to carry food or drink for human consumption.

The bill is tie-barred to House Bill 4132. Together, the bills would add Part 54B (Lead-Bearing Substances) to the Code. House Bill 4132 (S-1) would prohibit a person from using or applying a lead-bearing substance in or on any children's jewelry in the State; prohibit a person from selling or transferring in Michigan any children's jewelry that contained a lead-bearing substance; and require the Department of Community Health to post on its website information about the hazards of lead-bearing substances and educational programs.

House Bill 4132 (S-1) also would prescribe civil fines for violations of Part 54B, and would define "lead-bearing substance" as an item or substance that contains lead, or a coating on an item that contains lead, so that the lead content is more than 0.06% of the total weight.

House Bill 4399 (S-2) also is tie-barred to House Bill 4936, which would amend the Code to reinstate the Childhood Lead Poisoning Prevention and Control Commission, and to Senate Bill 174, which would amend the Code to do the following:

- Prohibit a person from using or applying a toxic substance (a substance or coating on an item containing more than 0.06% lead) in or on any toy or child care article in Michigan.
- Prohibit a person from selling, offering for sale, or transferring in Michigan any toy or child care article that contained a toxic substance.
- Prescribe a civil fine for a violation.

House Bill 4399 (S-2) would take effect 90 days after it was enacted.

Proposed MCL 333.5485

Legislative Analyst: Julie Cassidy

### **FISCAL IMPACT**

Additional civil fine revenue would be deposited in the State's General Fund.

Date Completed: 11-8-07

Fiscal Analyst: Stephanie Yu