

SUBSTITUTE FOR
HOUSE BILL NO. 4765

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 5494.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 5494. (1) NOT LATER THAN JANUARY 1, 2011, THE DEPARTMENT
2 IN CONSULTATION WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL
3 COMPILE A LIST OF CHEMICALS OF CONCERN.

4 (2) NOT LATER THAN JANUARY 1, 2012, THE DEPARTMENT IN
5 CONSULTATION WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL
6 COMPILE A LIST OF CHEMICALS OF HIGHEST CONCERN. THE DEPARTMENT MAY
7 DESIGNATE A CHEMICAL OF CONCERN ON THE LIST DEVELOPED UNDER
8 SUBSECTION (1) AS A CHEMICAL OF HIGHEST CONCERN IF IT MEETS ANY OF
9 THE FOLLOWING CRITERIA:

10 (A) THE CHEMICAL HAS BEEN FOUND THROUGH BIOMONITORING TO BE

1 PRESENT IN HUMAN BLOOD INCLUDING UMBILICAL CORD BLOOD, BREAST MILK,
2 URINE, OR OTHER BODILY TISSUES OR FLUIDS.

3 (B) THE CHEMICAL HAS BEEN FOUND THROUGH SAMPLING AND ANALYSIS
4 TO BE PRESENT IN CONSUMER PRODUCTS OR IN HOUSEHOLD DUST, INDOOR
5 AIR, DRINKING WATER, OR ELSEWHERE IN THE HOME ENVIRONMENT.

6 (C) THE CHEMICAL HAS BEEN FOUND THROUGH MONITORING TO BE
7 PRESENT IN FISH, WILDLIFE, OR THE NATURAL ENVIRONMENT.

8 (D) THE CHEMICAL HAS BEEN IDENTIFIED AS A HIGH PRODUCTION
9 VOLUME CHEMICAL BY THE UNITED STATES ENVIRONMENTAL PROTECTION
10 AGENCY.

11 (E) THE CHEMICAL IS DETERMINED BY THE DEPARTMENT TO BE OF
12 SPECIFIC RELEVANCE TO THE HEALTH OF MICHIGAN CHILDREN.

13 (3) THE DEPARTMENT IN CONSULTATION WITH THE DEPARTMENT OF
14 ENVIRONMENTAL QUALITY MAY UPDATE THE LIST OF CHEMICALS OF CONCERN
15 DEVELOPED UNDER SUBSECTION (1) AS OFTEN AS THEY DETERMINE
16 NECESSARY. THE DEPARTMENT IN CONSULTATION WITH THE DEPARTMENT OF
17 ENVIRONMENTAL QUALITY SHALL UPDATE THE LIST OF CHEMICALS OF HIGHEST
18 CONCERN DEVELOPED UNDER SUBSECTION (2) AT LEAST EVERY 2 YEARS IN
19 THE MANNER PRESCRIBED IN THAT SUBSECTION.

20 Enacting section 1. This amendatory act does not take effect
21 unless all of the following bills of the 95th Legislature are
22 enacted into law:

23 (a) House Bill No. 4763.

24 (b) House Bill No. 4764.

25 (c) House Bill No. 4766.

26 (d) House Bill No. 4767.

27 (e) House Bill No. 4768.

1 (f) House Bill No. 4769.