

SENATE BILL No. 158

February 25, 2015, Introduced by Senators BIEDA and WARREN and referred to the Committee on Government Operations.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the heading of chapter 5 of article II and by adding part 162.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER 5

RECYCLING AND ~~RELATED SUBJECTS~~ PROHIBITED PRODUCTS

PART 162

PLASTIC IN PERSONAL CARE PRODUCTS

SEC. 16201. AS USED IN THIS PART:

(A) "PERSONAL CARE PRODUCT", SUBJECT TO SUBDIVISION (B), MEANS ANY OF THE FOLLOWING:

(i) AN ARTICLE INTENDED TO BE RUBBED, Poured, SPRINKLED, OR SPRAYED ON, INTRODUCED INTO, OR OTHERWISE APPLIED TO THE HUMAN BODY OR ANY PART THEREOF FOR CLEANSING, BEAUTIFYING, PROMOTING

1 ATTRACTIVENESS, OR ALTERING APPEARANCE.

2 (ii) AN ARTICLE INTENDED FOR USE AS A COMPONENT OF AN ARTICLE
3 DESCRIBED IN SUBPARAGRAPH (i).

4 (B) PERSONAL CARE PRODUCT DOES NOT INCLUDE A PRESCRIPTION DRUG
5 AS DEFINED IN SECTION 17708 OF THE PUBLIC HEALTH CODE, 1978 PA 368,
6 MCL 333.17708.

7 (C) "PLASTIC MICROBEAD" MEANS AN INTENTIONALLY ADDED PLASTIC
8 PARTICLE THAT IS 5 MILLIMETERS OR LESS IN EVERY DIMENSION.

9 SEC. 16202. (1) BEGINNING JANUARY 1, 2019, A PERSON SHALL NOT
10 SELL OR OFFER FOR PROMOTIONAL PURPOSES IN THIS STATE ANY PERSONAL
11 CARE PRODUCT CONTAINING PLASTIC MICROBEADS.

12 (2) SUBSECTION (1) DOES NOT APPLY TO A PERSON THAT SELLS OR
13 OFFERS FOR PROMOTIONAL PURPOSES A PERSONAL CARE PRODUCT CONTAINING
14 PLASTIC MICROBEADS IN LESS THAN 1 PART PER MILLION (PPM) BY WEIGHT.

15 SEC. 16203. (1) IF A PERSON VIOLATES OR PREPARES TO VIOLATE
16 SECTION 16202, THE PROSECUTING ATTORNEY FOR THE COUNTY WHERE THE
17 VIOLATION OCCURS OR PREPARATIONS ARE TAKEN OR THE ATTORNEY GENERAL
18 MAY BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION FOR
19 INJUNCTIVE RELIEF AGAINST THE PERSON.

20 (2) A PERSON THAT VIOLATES SECTION 16202 MAY BE ORDERED TO PAY
21 A CIVIL FINE OF NOT MORE THAN \$2,500.00 PER DAY FOR EACH PERSONAL
22 CARE PRODUCT THAT IS THE SUBJECT OF THE VIOLATION. THE VIOLATION
23 MAY BE PROSECUTED BY THE PROSECUTING ATTORNEY OF THE COUNTY WHERE
24 THE VIOLATION OCCURRED OR BY THE ATTORNEY GENERAL.