

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2024**

Introduced by Reps. Aiyash, Mentzer, McKinney, Tyrone Carter, Tsernoglou, Dievendorf,
Wilson, Rheingans, Wegela, Hope, Paiz, Morgan, VanderWall, Byrnes, Puri, Conlin, Liberati
and Weiss

ENROLLED HOUSE BILL No. 4188

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 sections 5519 and 5519a.

The People of the State of Michigan enact:

Sec. 5519. (1) The department shall establish a program to implement the National Emission Standard for Asbestos, 40 CFR part 61, subpart M.

(2) Each year, the department shall complete inspections for compliance with 40 CFR part 61, subpart M, of at least the following applicable percentage of asbestos renovations and demolitions for which original notice of intention was received under 40 CFR 61.145:

- (a) 15% for 2025 and 2026.
- (b) 20% for 2027 and 2028.
- (c) 25% for 2029 and thereafter.

(3) An owner or operator that submits a notice of intention of asbestos removal or demolition is responsible for payment of a notification fee of \$100.00. In addition, the owner or operator is responsible for payment of a \$10.00 modification fee each time the submitted notice is modified. Fees under this subsection shall be paid electronically in the manner provided for by the department. A public entity may pass through the cost for the notice fee and any modification fee to the asbestos abatement contractor, unless the pass through would violate the terms of a contract entered into before the effective date of the amendatory act that added this section. The department shall assess and collect the fees and shall transmit fee revenue to the state treasurer for deposit in the asbestos inspection fund created in section 5519a.

(4) As used in this section, “asbestos abatement contractor” means that term as defined in section 103 of the asbestos abatement contractors licensing act, 1986 PA 135, MCL 338.3103.

Sec. 5519a. (1) The asbestos inspection fund is created in the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the asbestos inspection fund. The state treasurer shall direct the investment of money in the fund and credit to the fund interest and earnings from the investments.

(3) The department is the administrator of the asbestos inspection fund for audits of the fund. The department shall expend money from the fund, upon appropriation, only to conduct inspections and related activities under section 5519.

Enacting section 1. This amendatory act takes effect January 31, 2025.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor