

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2022**

Introduced by Reps. Cambensy, Posthumus, Alexander, Hertel, Steenland, Borton, Liberati,
Roth, Filler and Bezotte

ENROLLED HOUSE BILL No. 5742

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 8308a.

The People of the State of Michigan enact:

Sec. 8308a. (1) To facilitate continued access to markets for pesticides, the department may do 1 or both of the following:

(a) At the request of a registrant or based upon records voluntarily supplied by a registrant, inspect, audit, or certify locations where pesticides are manufactured in this state.

(b) Issue certificates of free sale under subsection (3).

(2) A registrant shall submit an application for a certificate of free sale on a form and in a manner prescribed by the department.

(3) The department shall grant or deny an application for a certificate of free sale within 10 business days after the department receives a completed application under subsection (2) and the application fee under subsection (4). If the department determines that the application meets the requirements of this part and the rules promulgated under this part, the department shall issue a certificate of free sale. If the department determines that the application does not meet the requirements of this part or the rules promulgated under this part, the department shall deny the application and send written notice to the registrant stating the reasons for the denial.

(4) If a certificate of free sale is issued under subsection (3), the registrant shall pay the department the following fees, as applicable:

(a) An application fee, \$60.00.

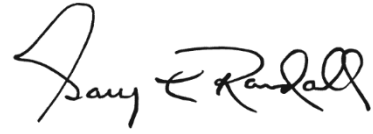
(b) A duplicate copy of a certificate of free sale, \$10.00.

(5) A fee collected under subsection (4) must be deposited in the agriculture licensing and inspections fees fund created in section 9 of the insect pest and plant disease act, 1931 PA 189, MCL 286.209.

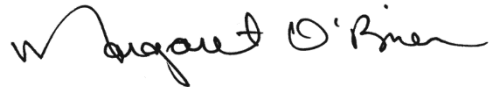
(6) A certificate of free sale issued under this section is valid for 1 year.

(7) As used in this section, “certificate of free sale” means a document that is issued by the department that verifies that the pesticide listed is registered with the department and is legally sold or distributed in this state and on the open market with the approval of the department.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor