

HOUSE BILL No. 4862

May 23, 1989, Introduced by Reps. Bandstra, Bennane, Rocca, Leland, Krause, Dunaskiss, Hoekman and Fitzgerald and referred to the Committee on Public Health.

A bill to amend Act No. 328 of the Public Acts of 1931, entitled

"The Michigan penal code,"

as amended, being sections 750.1 to 750.568 of the Michigan Compiled Laws, by adding section 477b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 328 of the Public Acts of 1931, as
2 amended, being sections 750.1 to 750.568 of the Michigan Compiled
3 Laws, is amended by adding section 477b to read as follows:

4 SEC. 477B. (1) A PERSON SHALL NOT MANUFACTURE, SELL, OFFER
5 FOR SALE, OR GIVE AWAY A MEDICAL TESTING KIT THAT IS SPECIFICALLY
6 DESIGNED FOR THE COLLECTION OF A BLOOD SAMPLE BY THE USER OF THE
7 MEDICAL TESTING KIT, OTHER THAN A LICENSED HEALTH PROFESSIONAL,
8 FOR THE PURPOSE OF TRANSMITTING THE BLOOD SAMPLE TO A CLINICAL
9 LABORATORY TO BE TESTED FOR SERUM CHOLESTEROL.

1 (2) A PERSON SHALL NOT POSSESS OR USE A MEDICAL TESTING KIT
2 AS DESCRIBED IN SUBSECTION (1).

3 (3) A PERSON WHO VIOLATES SUBSECTION (1) IS GUILTY OF A MIS-
4 DEMEANOR, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR
5 A FINE OF NOT MORE THAN \$5,000.00, OR BOTH.

6 (4) A PERSON WHO VIOLATES SUBSECTION (2) IS GUILTY OF A MIS-
7 DEMEANOR, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 30 DAYS OR
8 A FINE OF NOT MORE THAN \$500.00, OR BOTH.

9 Section 2. This amendatory act shall not take effect unless
10 Senate Bill No. _____ or House Bill No. 4861 (request
11 no. 00769'89 *) of the 85th Legislature is enacted into law.