




Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 186 (Substitute S-5 as reported)

Sponsor: Senator Ron Jelinek

Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend Part 172 (Mercury Thermometers) of the Natural Resources and Environmental Protection Act to prohibit a person from selling an esophageal dilator, bougie tube, or gastrointestinal tube if mercury or a mercury-added compound were added to the product during its manufacture, beginning January 1, 2009.

The prohibition would not apply to a product whose use was required by a Federal statute or regulation, or a product whose only mercury-containing component was a button cell battery.

The bill is tie-barred to Senate Bills 123 and 124. Senate Bill 123 (S-2) would prohibit the sale and use of a blood pressure recording, measuring, or monitoring device that contained mercury or a mercury compound. Senate Bill 124 (S-4) would prohibit a person from selling a thermostat containing mercury or a mercury compound, subject to an exception for a thermostat that replaced a component of an appliance.

Senate Bill 186 (S-2) would define "appliance" as a refrigerator, dehumidifier, freezer, oven, range, microwave oven, washer, dryer, dishwasher, trash compactor, window room air conditioner, television, or computer. The term would not include a home heating or central air-conditioning system. The bill would define "thermostat" as a consumer product that uses a switch containing mercury or a mercury compound to sense and control room temperature, including room temperature in residential, commercial, industrial, and other buildings, by communicating with heating, ventilating, or air conditioning equipment. The term would not include a product used to control temperature as part of a manufacturing device. The bill also specifies that the term "mercury thermometer" would not include a product or component of a product that measures temperature as part of a manufacturing process.

MCL 324.17201 et al.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on local government. A violation of Part 172 is a misdemeanor punishable by up to 60 days' imprisonment and/or a maximum fine of \$1,000, plus the costs of prosecution. There are no data to indicate how many offenders would be convicted of the proposed offense. Local governments would incur the costs of misdemeanor probation and incarceration in local facilities, which vary by county. Additional penal fine revenue would benefit public libraries.

Date Completed: 11-30-06

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