

# HOUSE BILL No. 5574

January 24, 2006, Introduced by Reps. Kolb, Kathleen Law, Zelenko and Lemmons, III and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by adding part 140 to article 12.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

ARTICLE 12. ENVIRONMENTAL HEALTH

PART 140. ADULTERATED CONSUMER PRODUCTS

SEC. 14001. A PERSON SHALL NOT SELL, OFFER FOR SALE, POSSESS  
FOR SALE, GIVE AWAY, USE, OR PRESCRIBE ANY PRODUCT USED FOR THE  
TREATMENT OF LICE OR SCABIES IN HUMAN BEINGS THAT CONTAINS THE  
PESTICIDE CHEMICAL LINDANE.

SEC. 14005. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), A PERSON  
WHO VIOLATES THIS PART IS GUILTY OF A MISDEMEANOR.

(2) A PERSON WHO KNOWINGLY OR RECKLESSLY VIOLATES THIS PART IS  
GUILTY OF EITHER OF THE FOLLOWING:

1           (A) EXCEPT AS OTHERWISE PROVIDED IN SUBDIVISION (B), A FELONY  
2 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR A FINE OF  
3 NOT MORE THAN \$1,000.00, OR BOTH.

4           (B) IF THE VIOLATION RESULTS IN PERSONAL INJURY OR DEATH, A  
5 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A  
6 FINE OF NOT MORE THAN \$4,000.00, OR BOTH.

7           (3) THIS SECTION DOES NOT PROHIBIT AN INDIVIDUAL FROM BEING  
8 CHARGED WITH, CONVICTED OF, OR PUNISHED FOR ANY OTHER VIOLATION OF  
9 LAW THAT IS COMMITTED BY THAT INDIVIDUAL WHILE VIOLATING THIS  
10 SECTION.