

HOUSE BILL NO. 4889

May 20, 2021, Introduced by Reps. Anthony, Hope, Young, Scott, Weiss, Aiyash, Kuppa, Hood, Whitsett, Manoogian and Brixie and referred to the Committee on Regulatory Reform.

A bill to amend 1941 PA 207, entitled
"Fire prevention code,"
by amending section 7d (MCL 29.7d), as added by 2018 PA 636.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7d. (1) If the environmental concerns based on the
2 department of natural resources fire division criteria are elevated
3 to extreme fire conditions or if the environmental concerns based
4 on the department of natural resources fire division criteria are
5 elevated to very high for 72 consecutive hours, the commanding

1 officer of the fire department of a city, village, township, or
2 county, in consultation with the department of natural resources,
3 has the authority to enforce a no burning restriction that includes
4 a ban on the ignition, discharge, and use of consumer fireworks
5 within a city, village, township, or county. If a no burning
6 restriction is instituted under this subsection, the commanding
7 officer of the fire department enforcing the restriction shall
8 ensure that adequate notice of the restriction is provided to the
9 public.

10 (2) The governor, department of natural resources, or state
11 fire marshal may enforce a statewide no burning restriction,
12 including a ban on the ignition, discharge, and use of fireworks as
13 provided under subsection (1).

14 (3) Not more than 24 hours after the fire condition is
15 downgraded from extreme or very high fire condition, the commanding
16 officer of the fire department of a city, village, township, or
17 county that enforced a no burning restriction under subsection (1)
18 that included a ban on the ignition, discharge, and use of consumer
19 fireworks shall lift the restriction and inform the public that the
20 restriction has been lifted in the same manner that the restriction
21 was announced or made known to the public.

22 (4) As used in this section, "consumer fireworks" means that
23 term as defined in section 2 of ~~the Michigan fireworks safety act,~~
24 **former** 2011 PA 256. ~~, MCL 28.452.~~

25 Enacting section 1. This amendatory act takes effect 90 days
26 after the date it is enacted into law.

27 Enacting section 2. This amendatory act does not take effect
28 unless Senate Bill No. ____ or House Bill No. 4891 (request no.
29 03102'21) of the 101st Legislature is enacted into law.