

# HOUSE BILL NO. 5742

February 15, 2022, Introduced by Reps. Cambensy, Posthumus, Alexander, Hertel, Steenland, Borton, Liberati, Roth, Filler and Bezotte and referred to the Committee on Agriculture.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding section 8308a.

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

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

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

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

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

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

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

19 (a) An application fee, \$60.00.

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

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

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

27 (7) As used in this section, "certificate of free sale" means  
28 a document that is issued by the department that verifies that the  
29 pesticide listed is registered with the department and is legally

1 sold or distributed in this state and on the open market with the  
2 approval of the department.