

Act No. 376
Public Acts of 2000
Approved by the Governor
January 1, 2001
Filed with the Secretary of State
January 2, 2001
EFFECTIVE DATE: January 2, 2001

**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 2000**

Introduced by Senators Johnson, Shugars, McCotter, Hammerstrom, Steil, Sikkema, Bennett, North, Peters, Young, DeBeaussaert, Schuette, Gougeon, Goschka, Stifle, Jaye, Vaughn, Hart, Miller, Murphy, McManus and A. Smith

ENROLLED SENATE BILL No. 1262

AN ACT to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," (MCL 380.1 to 380.1852) by adding section 1274b.

The People of the State of Michigan enact:

Sec. 1274b. (1) Except as otherwise provided in subsection (2), the board of a school district, local act school district, or intermediate school district; governing board of a nonpublic school; or board of directors of a public school academy shall ensure that after December 31, 2004 the school district, intermediate school district, nonpublic school, or public academy does not purchase, store, or use free flowing elemental mercury for any experiment, display or other purpose and does not purchase, store, or use an instrument that contains mercury, including, but not limited to, a thermometer, barometer, or a sphygmomanometer, or a manometer containing mercury.

(2) After December 31, 2004, if no reasonably acceptable, mercury-free alternative exists for an instrument used by the school district, intermediate school district, nonpublic school, or public school academy, then the school district, intermediate school district, nonpublic school, or public school academy may use the instrument that contains the lowest mercury content available on the market.

(3) The board of a school district, local act school district, or intermediate school district; governing board of a nonpublic school; or board of directors of a public school academy shall ensure that the school district, intermediate school district, nonpublic school, or public school academy disposes of mercury and instruments containing mercury in accordance with applicable state and federal law.