

Act No. 74
Public Acts of 2020
Approved by the Governor
April 2, 2020
Filed with the Secretary of State
April 2, 2020
EFFECTIVE DATE: April 2, 2020

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020**

Introduced by Reps. Miller and Paquette

ENROLLED HOUSE BILL No. 4740

AN ACT to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 75102, 75103, and 75104 (MCL 324.75102, 324.75103, and 324.75104), section 75102 as amended by 2016 PA 11, section 75103 as added by 1995 PA 58, and section 75104 as amended by 2012 PA 251.

The People of the State of Michigan enact:

Sec. 75102. (1) The following lands are designated as dark sky preserves:

(a) State-owned land at Lake Hudson, legally described as:

All state-owned land located in Sections 25, 26, 27, 34, 35, and 36, T7S, R1E, and Section 1, T8S, R1E - Lenawee County, Michigan.

(b) The state-owned land comprising Wilderness State Park and the state forestland within Bliss Township, Cross Village Township, and Wawatam in Emmet County.

(c) Those portions of Port Crescent State Park lying north and west of the Pinnebog River in section 9 of Hume Township, Huron County, T18N, R12E.

(d) The state-owned land comprising Rockport State Recreation Area, located in Presque Isle Township, Presque Isle County and Alpena Township, Alpena County.

(e) The state-owned land comprising Negwegon State Park, located in Sanborn Township, Alpena County and Alcona Township, Alcona County.

(f) The state-owned land comprising Thompson’s Harbor State Park, located in Krakow Township, Presque Isle County.

(g) The county-owned land comprising Dr. T. K. Lawless Park, located in Porter and Newberg Townships, Cass County.

(h) The county-owned land comprising Headlands International Dark Sky Park, located in Wawatam Township, Emmet County.

(2) Notwithstanding any other provision of this part, a dark sky preserve shall not be established in the Upper Peninsula.

Sec. 75103. (1) The commission shall ensure that outdoor lighting within a state-owned dark sky preserve is not installed unless necessary for safety, security, or the reasonable use and enjoyment of property within the preserve.

(2) The commission shall ensure that outdoor lighting within a state-owned dark sky preserve does not unreasonably interfere with nighttime activities that require darkness, including, but not limited to, the enjoyment of the night sky, nighttime photography, and wildlife photography.

Sec. 75104. (1) The commission shall ensure that all outdoor lighting within a state-owned dark sky preserve conforms to the following:

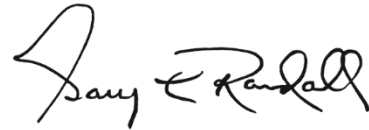
(a) Lighting shall be directed downward.

(b) If possible, lighting shall be provided by fully shielded fixtures.

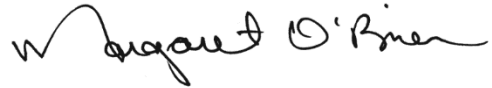
(c) If practical and appropriate, outdoor lighting fixtures shall be motion sensor fixtures, and not fixtures that remain lighted during all hours of darkness.

(2) Notwithstanding any other provision of this part, the use and development of land within a state-owned dark sky preserve, including the use of the land for motorized and nonmotorized recreation, shall not be restricted due to the designation as a dark sky preserve.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor