HOUSE BILL NO. 5707


A bill to amend 1945 PA 302, entitled
"An act authorizing the governor to proclaim a state of emergency, and to prescribe the powers and duties of the governor with respect thereto; and to prescribe penalties,"

by amending section 1 (MCL 10.31), as amended by 2006 PA 546.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. (1) During times of great public crisis, disaster, rioting, catastrophe, or similar public emergency within the state, or reasonable apprehension of immediate danger of a public emergency of that kind, when public safety is imperiled, either
upon on application of the mayor of a city, sheriff of a county, or
the commissioner of the Michigan state police or upon on his or her
own volition, the governor may proclaim a state of emergency and
designate the area involved. After making the proclamation or
declaration, the governor may promulgate reasonable orders, rules,
and regulations as he or she considers necessary to protect life
and property or to bring the emergency situation within the
affected area under control. Those orders, rules, and regulations
may include, but are not limited to, providing for the control of
traffic, including public and private transportation, within the
area or any section of the area; designation of specific zones
within the area in which occupancy and use of buildings and ingress
and egress of persons and vehicles may be prohibited or regulated;
control of places of amusement and assembly and of persons on
public streets and thoroughfares; establishment of a curfew;
control of the sale, transportation, and use of alcoholic beverages
and liquors; and control of the storage, use, and transportation of
explosives or inflammable materials or liquids deemed to be
dangerous to public safety.

(2) The orders, rules, and regulations promulgated under
subsection (1) are effective from the date and in the manner
prescribed in the orders, rules, and regulations and shall must be
made public as provided in the orders, rules, and regulations. The
orders, rules, and regulations may be amended, modified, or
rescinded, in the manner in which they were promulgated, from time
to time by the governor during the pendency of the emergency, but
shall must cease to be in effect upon declaration by the governor
that the emergency no longer exists.

(3) Subsection (1) does not authorize the following:
(a) The seizure, taking, or confiscation of lawfully possessed firearms, ammunition, or other weapons.

(b) Banning the sale or purchase of firearms, ammunition, or other weapons.