



Senate Fiscal Agency
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House Bill 4501 (as reported without amendment)
Sponsor: Representative Timothy Beson
House Committee: Government Operations
Senate Committee: Economic and Small Business Development

CONTENT

The bill would amend the Michigan Occupational Safety and Health Act to do the following:

- Prohibit the Department of Labor and Economic Opportunity (LEO) from assessing an employer a civil penalty for violating an emergency standard if the emergency standard addressed COVID-19, the violation was the employer's first violation of the emergency standard, and the employer took action to correct the violation.
- Require LEO to reimburse an employer the amount of a civil penalty if LEO assessed an employer a civil penalty for violating an executive order issued by the Governor that dealt with COVID-19 and that was determined to be unconstitutional or otherwise void by the Supreme Court.

Proposed MCL 408.1038

FISCAL IMPACT

The bill would have a negative fiscal impact on the State and no fiscal impact on local units of government. The Michigan Occupational Safety and Health Administration (MIOSHA) would experience a decrease in restricted revenue by limiting the ability of the MIOSHA to assess penalties on an employer. Also, the bill would require MIOSHA to reimburse civil penalties assessed on an employer for violations related to COVID-19 emergency standards. The loss in revenue would be limited to the number of civil penalties meeting the bill's criteria that have been assessed against employers. The total impact would include reimbursement of approximately \$250,000 in fines received by MIOSHA and an inability to collect an additional \$500,000 in fines that have been assessed against employers but have not yet been received.

Date Completed: 6-7-21

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