

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2021**

Introduced by Reps. Beson, Beeler, Bellino, Maddock, Carra, Whiteford, Howell, Roth and Fink

ENROLLED HOUSE BILL No. 4501

AN ACT to amend 1974 PA 154, entitled “An act to prescribe and regulate working conditions; to prescribe the duties of employers and employees as to places and conditions of employment; to create certain boards, commissions, committees, and divisions relative to occupational and construction health and safety; to prescribe their powers and duties and powers and duties of the department of labor and department of public health; to prescribe certain powers and duties of the directors of the departments of labor, public health, and agriculture; to impose an annual levy to provide revenue for the safety education and training division; to provide remedies and penalties; to repeal certain acts and parts of acts; and to repeal certain acts and parts of act on specific dates,” (MCL 408.1001 to 408.1094) by adding section 38.

The People of the State of Michigan enact:

Sec. 38. (1) The department shall not assess an employer a civil penalty for violating an emergency standard if all of the following conditions are met:

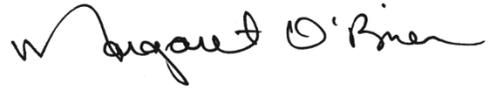
- (a) The emergency standard addresses COVID-19.
- (b) The violation is the employer’s first violation of the emergency standard.
- (c) The employer takes action to correct the violation.

(2) If the department assesses an employer a civil penalty for violating an executive order issued by the governor that deals with COVID-19 and that is determined to be unconstitutional or otherwise void by the supreme court, and if the employer pays the civil penalty, the department shall reimburse the employer the amount of the civil penalty. The reimbursement must be made within 30 days after the later of the effective date

of the amendatory act that added this section or the effective date of the supreme court's order. This subsection is retroactive and applies regardless of whether the civil penalty was assessed before the effective date of the amendatory act that added this section.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor