

**SUBSTITUTE FOR
HOUSE BILL NO. 4268**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 2253 and 2453 (MCL 333.2253 and 333.2453),
section 2253 as amended by 2006 PA 157, and by adding sections 2254
and 2454.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2253. (1) ~~If~~**Subject to section 2254, if** the director
2 determines that control of an epidemic is necessary to protect the
3 public health, the director by emergency order may prohibit the
4 gathering of people for any purpose and may establish procedures to
5 be followed during the epidemic to ~~insure~~**ensure** continuation of
6 essential public health services and enforcement of health laws.
7 Emergency procedures ~~shall~~**are** not ~~be~~ limited to this code.



1 (2) If an epidemic described in subsection (1) involves avian
2 influenza or another virus or disease that is or may be spread by
3 contact with animals, the department of agriculture **and rural**
4 **development** shall cooperate with and assist the director in the
5 director's response to the epidemic.

6 (3) ~~Upon~~ **On** request from the director, the department of
7 agriculture **and rural development** shall assist the department in
8 any review or update of the department's pandemic influenza plan
9 under section 5112.

10 **Sec. 2254. (1) An emergency order issued under section 2253 is**
11 **valid for 28 days.**

12 (2) **An initial emergency order issued under section 2253 to**
13 **control an epidemic may place 1 or more restrictions on businesses**
14 **and any restrictions placed on businesses may differ in the**
15 **emergency order. If, at the time of the expiration of the initial**
16 **emergency order, the director determines that the control of the**
17 **epidemic is still necessary to protect the public health, the**
18 **director may issue a subsequent emergency order under section 2253**
19 **to continue to control the epidemic. However, any subsequent**
20 **emergency order issued under section 2253 in response to the same**
21 **epidemic must impose uniform restrictions across all businesses,**
22 **unless an emergency order imposing different restrictions on**
23 **businesses is approved by resolution of both houses of the**
24 **legislature.**

25 **Sec. 2453. (1) ~~If~~ **Subject to section 2454, if** a local health**

26 officer determines that control of an epidemic is necessary to

27 protect the public health, the local health officer may issue an

28 emergency order to prohibit the gathering of people for any purpose

29 and may establish procedures to be followed by persons, including a



1 local governmental entity, during the epidemic to ~~insure~~**ensure**
2 continuation of essential public health services and enforcement of
3 health laws. Emergency procedures ~~shall~~**are** not ~~be~~ limited to this
4 code.

5 (2) A local health department or the department may provide
6 for the involuntary detention and treatment of individuals with
7 hazardous communicable disease in the manner prescribed in sections
8 5201 to ~~5238~~**5210**.

9 **Sec. 2454. (1) An emergency order issued under section 2453 is**
10 **valid for 28 days.**

11 (2) An initial emergency order issued under section 2453 to
12 control an epidemic may place 1 or more restrictions on businesses
13 and any restrictions placed on businesses may differ in the
14 emergency order. If, at the time of the expiration of the initial
15 emergency order, the local health officer determines that the
16 control of the epidemic is still necessary to protect the public
17 health, the local health officer may issue a subsequent emergency
18 order under section 2453 to continue to control the epidemic.
19 However, any subsequent emergency order issued under section 2453
20 in response to the same epidemic must impose uniform restrictions
21 across all businesses, unless an emergency order imposing different
22 restrictions on businesses is approved by the local governing
23 entity.

