

HOUSE BILL NO. 4996

September 19, 2019, Introduced by Reps. LaFave, Markkanen, Steven Johnson, Maddock, Eisen, O'Malley, Miller and Meerman and referred to the Committee on Government Operations.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 2226 (MCL 333.2226).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 2226. **(1)** The department may **do any of the following:**
- 2 (a) Engage in research programs and staff professional
- 3 training programs.
- 4 (b) Advise governmental entities or other persons as to the



1 location, drainage, water supply, disposal of solid waste, heating,
2 and ventilation of buildings.

3 (c) Enter into an agreement, contract, or arrangement with
4 governmental entities or other persons necessary or appropriate to
5 assist the department in carrying out its duties and functions.

6 (d) ~~Exercise~~ **Except as otherwise provided in subsection (2),**
7 **exercise** authority and promulgate rules to ~~safeguard~~ **do any of the**
8 **following:**

9 (i) **Safeguard** properly the public health. ~~to prevent~~

10 (ii) **Prevent** the spread of diseases and the existence of
11 sources of contamination. ~~and to implement~~

12 (iii) **Implement** and carry out the powers and duties vested by
13 law in the department.

14 (e) Accept gifts, grants, bequests, and other donations in the
15 name of this state. Funds or property accepted ~~shall~~ **must** be used
16 as directed by its donor and in accordance with the law, rules, and
17 procedures of this state.

18 (f) Either directly or by interagency contract, develop and
19 deliver health services to vulnerable population groups.

20 (2) **The department shall not promulgate or enforce a rule that**
21 **bans the sale, manufacturing, or use of a vapor product.**

22 (3) **Notwithstanding this act or any provision of federal law**
23 **to the contrary, the legislature finds that all of the following**
24 **are not subject to federal regulation and are instead subject to**
25 **this state's sovereign authority:**

26 (a) **The manufacturing of a vapor product in this state.**

27 (b) **The sale and purchase of a vapor product that is**
28 **manufactured in this state.**

29 (4) **As used in this section, "vapor product" means that term**



1 as defined in section 4 of the youth tobacco act, 1915 PA 31, MCL
2 722.644.

