

Legislative Analysis



EMERGENCY PUBLIC HEALTH ORDERS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4268 (H-2) as reported from committee

Sponsor: Rep. Luke Meerman

Committee: Government Operations

Complete to 5-4-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4268 would amend the Public Health Code to limit the duration and content of certain emergency public health orders.

Under the code, if the director of the Department of Health and Human Services (DHHS) or a local health officer determines that it is necessary to control an epidemic to protect the public health, he or she can issue an emergency order to limit the size of gatherings and establish emergency procedures that must be followed during the epidemic.

The bill would provide that such an emergency order is valid for 28 days. An initial order could place one or more different restrictions on different businesses. When the initial order expires, if the director of DHHS or the local health officer (as applicable) determines that control of the epidemic is still necessary to protect the public health, he or she could issue a subsequent order to control the epidemic. Any subsequent emergency order issued in response to the same epidemic would have to impose uniform restrictions across all businesses unless an emergency order imposing different restrictions is approved by resolution of both houses of the legislature.

MCL 333.2253 and 333.2453 and proposed MCL 333.2254 and 333.2454

FISCAL IMPACT:

House Bill 4268 would have indeterminate fiscal implications for DHHS and for local public health departments. Health department costs related to pandemic events include monitoring, contact tracing, collaborating with other public and private entities for pandemic infrastructure and response, and many others. In the current pandemic many of these costs are supported by state and local funds, and some of these costs have been supported by federal appropriations in FY 2019-20 and FY 2020-21.

POSITIONS:

A representative of NFIB Michigan testified in support of the bill. (3-11-21)

The Michigan Family Forum indicated support for the bill. (3-11-21)

The Department of Health and Human Services indicated opposition to the bill. (3-11-21)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.