



Senate Fiscal Agency
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House Bill 5244 (Substitute H-3 as discharged)
House Bill 6128 (Substitute H-1 as discharged)
House Bill 6215 (Substitute H-1 as discharged)
Sponsor: Representative Andrew Fink (H.B. 5244)
Representative Yousef Rabhi (H.B. 6128)
Representative Graham Filler (H.B. 6215)
House Committee: Government Operations
Senate Committee: Economic and Small Business Development (discharged)

CONTENT

House Bill 5244 (H-3) would amend Public Act 238 of 2020, which prohibits an employer from taking certain actions against an employee who does not report to work under circumstances related to COVID-19, to specify that the Act would not apply to a claim or cause of action that accrued after July 1, 2022. In addition, the bill would repeal the Act effective July 1, 2023.

House Bill 6128 (H-1) would amend Section 85 of the Michigan Occupational Safety and Health Act to specify that certain conditions establishing immunity for employers whose employees were exposed to COVID-19 would not apply to an exposure that occurred after July 1, 2022. In addition, the bill would repeal Section 85 and Section 85a, which defines COVID-19 under the Act, effective July 1, 2023.

House Bill 6215 (H-1) would amend the COVID-19 Response and Reopening Liability Assurance Act to specify that the Act, which provides immunity to a person that acts in compliance with certain Federal, State, and local orders related to COVID-19, would not apply to a claim or cause of action that accrued after July 1, 2022. In addition, the bill would repeal the Act effective July 1, 2023.

The bills are tie-barred.

MCL 419.410 (H.B. 5244)
408.1085 (H.B. 6128)
691.1460 (H.B. 6215)

Legislative Analyst: Tyler P. VanHuyse

FISCAL IMPACT

House Bill 5244 (H-3) would have an indeterminate fiscal impact on the State and on local court systems. While local courts could see a drop in COVID-19-related case filings by plaintiff employees, it also is possible that employers (including the State of Michigan) could see an increase in litigation. This is because, in addition to providing employee protections, the Act provides an affirmative defense for employers who followed Federal, State, and local guidelines on quarantine procedures. The number of claims filed under the Act since its enactment in 2020 is not known.

House Bill 6128 (H-1) and House Bill 6215 (H-1) would have no fiscal impact on State or local government.

Date Completed: 6-23-22

Fiscal Analyst: Josh Sefton
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Bill Analysis @ www.senate.michigan.gov/sfa

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