

**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 subsection (4), 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 (4) **An emergency order issued under this section is valid for**
 11 **28 days.**

12 **Sec. 2254. A business that, because of an epidemic involving a**
 13 **communicable disease, is required to cease its operations under an**
 14 **emergency order issued under section 2253 or a rule promulgated by**
 15 **the department and that continues to operate is not in violation of**
 16 **the order or rule if the business complies with each health or**
 17 **safety precaution that the order or rule requires of another**
 18 **business that is allowed to operate under the order or rule.**

19 Sec. 2453. (1) If a local health officer determines that
 20 control of an epidemic is necessary to protect the public health,
 21 the local health officer may issue an emergency order to prohibit
 22 the gathering of people for any purpose and may establish
 23 procedures to be followed by persons, including a local
 24 governmental entity, during the epidemic to ~~insure~~**ensure**
 25 continuation of essential public health services and enforcement of
 26 health laws. Emergency procedures ~~shall~~**are** not ~~be~~ limited to this
 27 code.

28 (2) A local health department or the department may provide
 29 for the involuntary detention and treatment of individuals with



1 hazardous communicable disease in the manner prescribed in sections
2 5201 to ~~5238~~.5210.

3 **Sec. 2454. A business that, because of an epidemic involving a**
4 **communicable disease, is required to cease its operations under an**
5 **emergency order issued under section 2453 or a regulation adopted**
6 **by a local health department and that continues to operate is not**
7 **in violation of the order or regulation if the business complies**
8 **with each health or safety precaution that the order or regulation**
9 **requires of another business that is allowed to operate under the**
10 **order or regulation.**

