

**SUBSTITUTE FOR  
HOUSE BILL NO. 4667**

A bill to prohibit COVID-19 vaccination passports and the use of an individual's COVID-19 vaccination status for certain purposes; to provide for the powers and duties of certain state and local governmental officers and entities; and to prescribe remedies.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. This act shall be known and may be cited as the  
2 "COVID-19 vaccination privacy act".

3           Sec. 3. As used in this act:

4           (a) "COVID-19" means severe acute respiratory syndrome  
5 coronavirus 2 (SARS-CoV-2).

6           (b) "COVID-19 vaccination passport" means a document or system  
7 created or used for the primary purpose of diminishing or enlarging

1 an individual's civil and political rights, privileges, and  
2 capacities based on the individual's COVID-19 vaccination status.

3 (c) "Governmental entity" means any of the following:

4 (i) A state officer, employee, agency, department, division,  
5 bureau, board, commission, council, authority, or other body in  
6 state government.

7 (ii) A county, city, township, village, intercounty, intercity,  
8 or regional governing body, council, school district, public  
9 university or college, special district, or municipal corporation,  
10 or a board, department, commission, council, or agency thereof.

11 (iii) Any other body that is created by state or local authority  
12 or is primarily funded by or through state or local authority.

13 Sec. 5. Except as otherwise provided by a law of the United  
14 States, a governmental entity shall not do any of the following:

15 (a) Produce or issue, or enter into a contract with a person  
16 to produce or issue, a COVID-19 vaccination passport.

17 (b) Require an individual to provide documentation certifying  
18 his or her COVID-19 vaccination status to access a public service.

19 (c) Impose a fine, fee, or penalty on an individual based on  
20 his or her COVID-19 vaccination status.

21 Sec. 7. (1) If a governmental entity is not complying with  
22 this act, the attorney general, the prosecuting attorney of the  
23 county in which the governmental entity serves, or a person may  
24 commence a civil action to compel compliance or to enjoin further  
25 noncompliance with this act.

26 (2) An action for injunctive relief against a local  
27 governmental entity must be commenced in the circuit court, and  
28 venue is proper in any county in which the governmental entity  
29 serves. An action for an injunction against a state governmental

1 entity must be commenced in the court of claims. If a person  
2 commences an action for injunctive relief, that person is not  
3 required to post security as a condition for obtaining a  
4 preliminary injunction or a temporary restraining order.

5 (3) An action for mandamus against a governmental entity under  
6 this act must be commenced in a court of appropriate jurisdiction.

7 (4) If a governmental entity is not complying with this act,  
8 and a person commences a civil action against the governmental  
9 entity for injunctive relief to compel compliance or to enjoin  
10 further noncompliance with the act and succeeds in obtaining relief  
11 in the action, the person shall recover court costs and actual  
12 attorney fees for the action.