

**SUBSTITUTE FOR
SENATE BILL NO. 1**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 2253 (MCL 333.2253), as amended by 2006 PA 157,
and by adding section 2253a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2253. (1) ~~If~~**Subject to section 2253a, 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~~**persons** for any purpose and may establish
5 procedures to be followed during the epidemic to ~~insure~~**ensure**
6 continuation of essential public health services and enforcement of
7 health laws. Emergency procedures ~~shall~~**are** not ~~be~~ limited to this
8 code. **An emergency order issued under this subsection must identify**

1 the epidemic that is the subject of the emergency order and include
2 both of the following:

3 (a) A description of how any prohibition on the gathering of
4 persons or procedures to be followed in the emergency order
5 protects the public health.

6 (b) All information that the director used when making the
7 determination to issue the emergency order, including, but not
8 limited to, data or statistics used by the director in determining
9 that the control of the epidemic through emergency order is
10 necessary to protect the public health.

11 (2) If an epidemic described in subsection (1) involves avian
12 influenza or another virus or disease that is or may be spread by
13 contact with animals, the department of agriculture **and rural**
14 **development** shall cooperate with and assist the director in the
15 director's response to the epidemic.

16 (3) ~~Upon~~ **On** request from the director, the department of
17 agriculture **and rural development** shall assist the department in
18 any review or update of the department's pandemic influenza plan
19 under section 5112.

20 **Sec. 2253a. Beginning November 15, 2020, an emergency order**
21 **issued under section 2253 is valid for the time period specified in**
22 **the order or until the order has been in effect for 28 days,**
23 **whichever is sooner. After 28 days, both of the following apply:**

24 (a) **An emergency order issued under section 2253 is not valid**
25 **unless a request from the director to extend the order for a**
26 **specific number of days is approved by resolution of both houses of**
27 **the legislature.**

28 (b) **The director shall not issue a new emergency order based**
29 **on the same epidemic for which the emergency order was issued under**

1 section 2253 unless the order is approved by resolution of both
2 houses of the legislature.

3 Enacting section 1. Section 2253a as added by this amendatory
4 act is intended to be retroactive and applies to emergency orders
5 issued under section 2253 of the public health code, 1978 PA 368,
6 MCL 333.2253, on or after November 15, 2020.