SENATE BILL NO. 428

May 06, 2021, Introduced by Senator VANDERWALL and referred to the Committee of the Whole.

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.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 2253. (1) Except as otherwise provided in subsection (4), if the director determines that control of an epidemic is necessary to protect the public health, the director by emergency order may prohibit the gathering of people for any purpose and may
establish procedures to be followed during the epidemic to ensure continuation of essential public health services and enforcement of health laws. Emergency procedures shall not be limited to this code.

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

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

(4) The director shall not issue an emergency order under this section that requires an individual who is less than 5 years of age to wear a face mask. As used in this subsection, "face mask" means a tightly woven cloth or other multilayer absorbent material that closely covers an individual's mouth and nose.

Sec. 2453. (1) Except as otherwise provided in subsection (3), if a local health officer determines that control of an epidemic is necessary to protect the public health, the local health officer may issue an emergency order to prohibit the gathering of people for any purpose and may establish procedures to be followed by persons, including a local governmental entity, during the epidemic to ensure continuation of essential public health services and enforcement of health laws. Emergency procedures shall not be limited to this code.

(2) A local health department or the department may provide for the involuntary detention and treatment of individuals with
hazardous communicable disease in the manner prescribed in sections 5201 to 5238.

(3) A local health officer shall not issue an emergency order under this section that requires an individual who is less than 5 years of age to wear a face mask. As used in this subsection, "face mask" means a tightly woven cloth or other multilayer absorbent material that closely covers an individual's mouth and nose.