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:

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

Sec. 3. As used in this act:

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

(b) "COVID-19 vaccination passport" means a document or system created or used for the primary purpose of diminishing or enlarging
an individual's civil and political rights, privileges, and
capacities based on the individual's COVID-19 vaccination status.

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

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

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

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

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

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

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

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

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

(2) An action for injunctive relief against a local
governmental entity must be commenced in the circuit court, and
venue is proper in any county in which the governmental entity
serves. An action for an injunction against a state governmental
entity must be commenced in the court of claims. If a person
commences an action for injunctive relief, that person is not
required to post security as a condition for obtaining a
preliminary injunction or a temporary restraining order.

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

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