

SENATE BILL NO. 858

April 16, 2020, Introduced by Senator BARRETT and referred to the Committee on Government Operations.

A bill to amend 1976 PA 390, entitled
"Emergency management act,"
by amending section 3 (MCL 30.403), as amended by 2002 PA 132.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The governor is responsible for coping with
2 dangers to this state or the people of this state presented by a
3 disaster or emergency.

4 (2) The governor may issue executive orders, proclamations,
5 and directives having the force and effect of law to implement this
6 act. Except as provided in section 7(2), an executive order,

1 proclamation, or directive may be amended or rescinded by the
2 governor.

3 (3) The governor shall, by executive order or proclamation,
4 declare a state of disaster if he or she finds a disaster has
5 occurred or the threat of a disaster exists. The state of disaster
6 shall continue until the governor finds that the threat or danger
7 has passed, the disaster has been dealt with to the extent that
8 disaster conditions no longer exist, or until the declared state of
9 disaster has been in effect for ~~28~~**14** days. After ~~28~~**14** days, the
10 governor shall issue an executive order or proclamation declaring
11 the state of disaster terminated, unless a request by the governor
12 for an extension of the state of disaster for a specific number of
13 days is approved by resolution of both houses of the legislature.
14 An executive order or proclamation issued pursuant to this
15 subsection shall indicate the nature of the disaster, the area or
16 areas threatened, the conditions causing the disaster, and the
17 conditions permitting the termination of the state of disaster. An
18 executive order or proclamation shall be disseminated promptly by
19 means calculated to bring its contents to the attention of the
20 general public and shall be promptly filed with the emergency
21 management division of the department and the secretary of state,
22 unless circumstances attendant upon the disaster prevent or impede
23 its prompt filing.

24 (4) The governor shall, by executive order or proclamation,
25 declare a state of emergency if he or she finds that an emergency
26 has occurred or that the threat of an emergency exists. The state
27 of emergency shall continue until the governor finds that the
28 threat or danger has passed, the emergency has been dealt with to
29 the extent that emergency conditions no longer exist, or until the

1 declared state of emergency has been in effect for ~~28~~**14** days.
2 After ~~28~~**14** days, the governor shall issue an executive order or
3 proclamation declaring the state of emergency terminated, unless a
4 request by the governor for an extension of the state of emergency
5 for a specific number of days is approved by resolution of both
6 houses of the legislature. An executive order or proclamation
7 issued pursuant to this subsection shall indicate the nature of the
8 emergency, the area or areas threatened, the conditions causing the
9 emergency, and the conditions permitting the termination of the
10 state of emergency. An executive order or proclamation shall be
11 disseminated promptly by means calculated to bring its contents to
12 the attention of the general public and shall be promptly filed
13 with the emergency management division of the department and the
14 secretary of state, unless circumstances attendant upon the
15 emergency prevent or impede its prompt filing.