

Legislative Analysis



EXEMPT HIGH SCHOOL GRADUATIONS FROM EMERGENCY HEALTH ORDERS

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<http://www.house.mi.gov/hfa>

House Bill 4728 as enrolled
Sponsor: Rep. Ann M. Bollin
House Committee: Education
Senate Committee: Education and Career Readiness
Complete to 7-20-21

Analysis available at
<http://www.legislature.mi.gov>

(Vetoed by the Governor 6-3-21)

SUMMARY:

House Bill 4728 would amend Part 22 (State Department of Public Health) and Part 24 (Local Health Departments) of the Public Health Code.

Currently, section 2253 of the code allows the director of the Department of Health and Human Services (DHHS) to issue emergency orders prohibiting public gatherings and establishing required procedures if the director determines that either is necessary to protect the public health during an epidemic. Section 2453 grants the same authority to local health officers.

The bill would introduce exceptions to both sections, providing that any such emergency orders at the state or local level could not prohibit or otherwise limit a high school graduation commencement ceremony that is sponsored by a public or nonpublic school to honor the graduating class of 2020 or 2021 and that is held during the 2020-2021 school year.

MCL 333.2253 and 333.2453

FISCAL IMPACT:

House Bill 4728 would have indeterminate fiscal implications for DHHS and for local public health departments. Health department costs related to pandemic events include monitoring, contact tracing, collaborating with other public and private entities for pandemic infrastructure and response, and many others. In the current pandemic many of these costs are supported by state and local funds, and some of these costs have been supported by federal appropriations in FY 2019-20 and FY 2020-21.

Vetoed 6-3-21:

In her veto message,¹ Governor Whitmer stated that the bill was a solution in search of a problem. By the time she received the bill, she reasoned, vaccines were increasingly available and capacity limits had been removed for outdoor activities and increased for indoor activities, leaving no need for the exemptions contemplated in the bill.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

¹ Veto message for HB 4728: <http://www.legislature.mi.gov/documents/2021-2022/billcurrentversion/House/PDF/2021-HCVBS-4728-0S2230.pdf>