



Senate Fiscal Agency
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House Bill 4667 (Substitute H-4 as reported without amendment)
Sponsor: Representative Sue Allor
House Committee: Oversight
Senate Committee: Health Policy and Human Services

CONTENT

The bill would enact the "COVID-19 Vaccination Privacy Act" to prohibit a governmental entity from issuing a COVID-19 vaccination passport, requiring proof of vaccination status to access a public, or imposing a fine or penalty based on vaccination status. "Governmental entity" would mean any of the following: a) a State officer, employee, agency, department, division, bureau, board, commission, council, authority, or other body in State government; b) 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; or c) any other body that is created by State or local authority or is primarily funded by or through State or local authority.

The bill would allow the Attorney General, the prosecuting attorney of the county in which the governmental entity served, or a person to commence a civil action to compel compliance or to enjoin further noncompliance with the Act. If a governmental entity were not complying with the Act, and a person commenced a civil action against the governmental entity for injunctive relief to compel compliance or to enjoin further noncompliance with the Act and succeeded in obtaining relief in the action, the person would recover court costs and actual attorney fees for the action.

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would not have a direct fiscal impact on the State or local units of government. The Department of the Attorney General or county prosecuting attorneys could incur unknown costs if they commenced a civil action because of a government entity's violation of the bill.

No specific shifts in revenue or expenditures for courts are identified in the bill's language; however, as the bill would give standing to any person to file a civil action against the State or local county government, the possibility of increased operational costs for local circuit courts and the Court of Claims would seem likely. Any increased costs for these courts as a result of the bill are indeterminate.

In addition to the costs described above, a successful plaintiff would be entitled to have his or her court costs and attorney fees paid for by the governmental entity subject to the suit.

Date Completed: 10-25-21

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Bill Analysis @ www.senate.michigan.gov/sfa

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