

# SENATE BILL NO. 457

May 19, 2021, Introduced by Senators THEIS, DALEY, VICTORY, BARRETT, ZORN, BIZON, RUNESTAD, HORN, OUTMAN, LASATA, VANDERWALL, MCBROOM and LAUWERS 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:**

1           Sec. 2253. (1) ~~¶~~**Except as otherwise provided in subsection**  
2 **(4), if** the director determines that control of an epidemic is  
3 necessary to protect the public health, the director by emergency  
4 order may prohibit the gathering of people for any purpose and may

1 establish procedures to be followed during the epidemic to ~~insure~~  
2 **ensure** continuation of essential public health services and  
3 enforcement of health laws. Emergency procedures ~~shall~~**are** not be  
4 limited to this code.

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

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

14 (4) **The director shall not issue an emergency order under this**  
15 **section that requires a minor to receive a vaccination for COVID-**  
16 **19.**

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

26 (2) A local health department or the department may provide  
27 for the involuntary detention and treatment of individuals with  
28 hazardous communicable disease in the manner prescribed in sections  
29 5201 to ~~5238~~**5210**.

1           (3) A local health officer shall not issue an emergency order  
2 under this section that requires a minor to receive a vaccination  
3 for COVID-19.