HOUSE BILL NO. 5051

September 24, 2025, Introduced by Reps. DeBoer, Snyder, Pavlov, Weiss, Xiong, Foreman, Tsernoglou, BeGole, Schmaltz, Kuhn, Frisbie, Jenkins-Arno, Meerman, Bierlein, B. Carter, Hoskins, Bohnak, Prestin, St. Germaine and Tisdel and referred to Committee on Education and Workforce.

A bill to amend 2020 PA 312, entitled

"Law enforcement and firefighter access to epinephrine act,"

by amending the title and sections 1, 2, and 3 (MCL 28.821, 28.822, and 28.823).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to allow certain law enforcement officers and firefighters to administer ~~auto-injectable~~ **an** epinephrine **delivery system** in certain circumstances; to provide access to ~~auto-injectable~~ **an** epinephrine **delivery system** by eligible entities, law enforcement officers, and firefighters; and to limit civil and

criminal liability of certain entities and individuals.

Sec. 1. (1) This act ~~shall be known and~~ may be cited as the "law enforcement and firefighter access to epinephrine act".

(2) As used in this act:

(a) "Eligible entity" means a law enforcement agency or organized fire department that is prescribed ~~auto-injectable~~ **an** epinephrine **delivery system**.

(b) "Epinephrine delivery system" includes, but is not limited to, an epinephrine auto-injector, an epinephrine inhaler, or epinephrine nasal spray.

(c) ~~(b)~~ "Firefighter" means that term as defined in section 1 of the fire prevention code, 1941 PA 207, MCL 29.1.

(d) ~~(c)~~ "Law enforcement agency" means that term as defined in section 2 of the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.602.

(e) ~~(d)~~ "Law enforcement officer" means that term as defined in section 2 of the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.602.

(f) ~~(e)~~ "Organized fire department" means that term as defined in section 1 of the fire prevention code, 1941 PA 207, MCL 29.1.

Sec. 2. (1) An eligible entity may purchase and possess ~~auto-injectable~~ **an** epinephrine **delivery system** for purposes of this act and distribute that ~~auto-injectable~~ epinephrine **delivery system** to law enforcement officers or firefighters in its employ who have been trained in the administration of that ~~auto-injectable~~ epinephrine **delivery system** as required under subsection (3).

(2) If a law enforcement officer or firefighter has completed the training required under subsection (3), the law enforcement officer or firefighter may administer ~~auto-injectable~~ **an**

epinephrine **delivery system** prescribed to an eligible entity to an individual who the law enforcement officer or firefighter has reason to believe is experiencing anaphylaxis, regardless of whether the individual has a prescription for epinephrine or has been previously diagnosed with an allergy.

(3) An individual shall complete training on the proper administration of ~~auto-injectable~~ **an** epinephrine **delivery system** before administering ~~auto-injectable~~ epinephrine under this act.

Sec. 3. (1) An eligible entity that purchases, stores, or provides to a law enforcement officer or firefighter ~~auto-injectable~~ **an** epinephrine **delivery system** for use under section 2 is immune from civil liability for injuries, death, or damages arising out of the administration of that ~~auto-injectable~~ epinephrine **delivery system** to any individual, if the conduct does not amount to gross negligence that is the proximate cause of injury, death, or damage.

(2) Any law enforcement officer or firefighter who possesses, administers, or fails to administer ~~auto-injectable~~ **an** epinephrine **delivery system** under section 2 is immune from civil liability for injuries, death, or damages arising out of the administration or failure to administer ~~auto-injectable~~ **an** epinephrine **delivery system** to any individual, if the conduct does not constitute willful or wanton misconduct that is the proximate cause of injury, death, or damage.

(3) An eligible entity that purchases, possesses, or distributes ~~auto-injectable~~ **an** epinephrine **delivery system** under section 2 and any law enforcement officer or firefighter who possesses, administers, or fails to administer ~~auto-injectable~~ **an** epinephrine **delivery system** under section 2 is not subject to

criminal prosecution for purchasing, possessing, or distributing ~~auto-injectable~~ **an** epinephrine **delivery system**, or administering or failing to administer ~~auto-injectable~~ **an** epinephrine **delivery system** to any individual under this act.

(4) This section does not eliminate, limit, or reduce any other immunity or defense that may be available under the laws of this state.

(5) As used in this section, "gross negligence" means that term as defined in section 7 of 1964 PA 170, MCL 691.1407.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 103rd Legislature are enacted into law:

(a) House Bill No. 5054 (request no. H02192'25).

(b) House Bill No. 5049 (request no. H02193'25).

(c) House Bill No. 5050 (request no. H02479'25).

(d) House Bill No. 5052 (request no. H03174'25).

(e) House Bill No. 5053 (request no. H03176'25).