

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020**

Introduced by Senators Barrett, Theis, Bumstead, Zorn, Victory, Outman, Bizon and MacGregor

ENROLLED SENATE BILL No. 858

AN ACT to amend 1976 PA 390, entitled “An act to provide for planning, mitigation, response, and recovery from natural and human-made disaster within and outside this state; to create the Michigan emergency management advisory council and prescribe its powers and duties; to prescribe the powers and duties of certain state and local agencies and officials; to prescribe immunities and liabilities; to provide for the acceptance of gifts; and to repeal acts and parts of acts,” by amending section 3 (MCL 30.403), as amended by 2002 PA 132.

The People of the State of Michigan enact:

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

(2) The governor may issue executive orders, proclamations, and directives having the force and effect of law to implement this act. Except as provided in section 7(2), an executive order, proclamation, or directive may be amended or rescinded by the governor.

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

(4) The governor shall, by executive order or proclamation, declare a state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists. The state of emergency shall continue until the governor finds that the threat or danger has passed, the emergency has been dealt with to the extent that emergency conditions no longer exist, or until the declared state of emergency has been in effect for 28 days. After 28 days, the governor shall issue an executive order or proclamation declaring the state of emergency terminated, unless a request by the governor for an extension of the state of emergency for a specific number of days is

approved by resolution of both houses of the legislature. An executive order or proclamation issued pursuant to this subsection shall indicate the nature of the emergency, the area or areas threatened, the conditions causing the emergency, and the conditions permitting the termination of the state of emergency. An executive order or proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and shall be promptly filed with the emergency management division of the department and the secretary of state, unless circumstances attendant upon the emergency prevent or impede its prompt filing.

(5) Notwithstanding the termination of the underlying state of disaster or state of emergency declaration under this act, the following executive orders are incorporated by reference and are hereby extended as follows:

- (a) Executive Order No. 2020-14, through May 30, 2020.
- (b) Executive Order No. 2020-22, through April 30, 2020.
- (c) Executive Order No. 2020-26, through July 31, 2020.
- (d) Executive Order No. 2020-27, through May 5, 2020.
- (e) Executive Order No. 2020-28, through July 30, 2020.
- (f) Executive Order No. 2020-31, through July 30, 2020.
- (g) Executive Order No. 2020-35, through July 30, 2020.
- (h) Executive Order No. 2020-36, through December 31, 2020.
- (i) Executive Order No. 2020-37, through May 30, 2020.
- (j) Executive Order No. 2020-39, through May 30, 2020.
- (k) Executive Order No. 2020-40, through May 30, 2020.
- (l) Executive Order No. 2020-41, through June 30, 2020.
- (m) Executive Order No. 2020-43, through May 15, 2020.
- (n) Executive Order No. 2020-44, through June 30, 2020.
- (o) Executive Order No. 2020-46, through July 30, 2020.
- (p) Executive Order No. 2020-47, through May 30, 2020.
- (q) Executive Order No. 2020-49, through July 30, 2020.
- (r) Executive Order No. 2020-50, through July 30, 2020.
- (s) Executive Order No. 2020-51, through May 30, 2020.
- (t) Executive Order No. 2020-52, through June 29, 2020.
- (u) Executive Order No. 2020-53, through June 30, 2020.
- (v) Executive Order No. 2020-54, through June 30, 2020.
- (w) Executive Order No. 2020-56, through May 30, 2020.
- (x) Executive Order No. 2020-57, through July 30, 2020.
- (y) Executive Order No. 2020-58, through June 30, 2020.
- (z) Executive Order No. 2020-61, through June 30, 2020.
- (aa) Executive Order No. 2020-62, through July 30, 2020.
- (bb) Executive Order No. 2020-63, through June 30, 2020.

(6) Every business, place of public accommodation, and place of public service that is open to the public with face-to-face interaction must do all of the following until May 30, 2020:

(a) Ensure adherence to social distancing and mitigation measures recommended by the Centers for Disease Control and Prevention, including the use of face coverings and individuals remaining at least 6 feet from people from outside the individual's household to the extent feasible under the circumstances.

(b) Adopt heightened standards of facility cleaning and disinfection to limit employee and public exposure to COVID-19, as well as protocols to clean and disinfect in the event of a positive COVID-19 case in the workplace.

(c) Provide personal protective equipment for employees appropriate for the work activity being performed, subject to the availability of personal protective equipment.

(d) Adopt policies to limit the sharing of equipment and tools between individuals.

(e) Promote remote work for employees to the fullest extent practicable.

(f) Adopt policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person with a confirmed diagnosis of COVID-19.

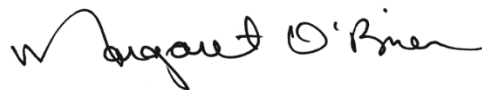
(7) As used in subsection (6):

(a) "Place of public accommodation" means a business, or an educational, refreshment, entertainment, recreation, health, or transportation facility, or institution of any kind, whether licensed or not, whose goods,

services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public. Place of public accommodation also includes the facilities of the following private clubs:

- (i) A country club or golf club.
- (ii) A boating or yachting club.
- (iii) A sports or athletic club.
- (iv) A dining club.

(b) "Place of public service" means a public facility, department, agency, board, or commission, owned, operated, or managed by or on behalf of this state, a political subdivision of this state, or an agency of this state or a political subdivision of this state, or a tax-exempt private agency established to provide service to the public, except that a place of public service does not include a state or county correctional facility with respect to actions and decisions regarding an individual serving a sentence of imprisonment.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor