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**SUBSTITUTE FOR
HOUSE BILL NO. 4667**

A bill to prohibit COVID-19 vaccination passports and the use of an individual's COVID-19 vaccination status for certain purposes; to provide for the powers and duties of certain state and local governmental officers and entities; and to prescribe remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. This act shall be known and may be cited as the "COVID-19 vaccination privacy act".

Sec. 3. As used in this act:

(a) "COVID-19" means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

(b) "COVID-19 vaccination passport" means a document or system created or used for the primary purpose of diminishing or enlarging an individual's civil and political rights, privileges, and capacities based on the individual's COVID-19 vaccination status.

(c) "Governmental entity" means any of the following:

(i) A state officer, employee, agency, department, division, bureau, board, commission, council, authority, or other body in

state government.

(ii) 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.

(iii) Any other body that is created by state or local authority or is primarily funded by or through state or local authority.

Sec. 5. Except as otherwise provided by a law of the United States, a governmental entity shall not do any of the following:

(a) Produce or issue, or enter into a contract with a person to produce or issue, a COVID-19 vaccination passport.

(b) Require an individual to provide documentation certifying his or her COVID-19 vaccination status to access a public service.

(c) Impose a fine, fee, or penalty on an individual based on his or her COVID-19 vaccination status.

Sec. 7. (1) If a governmental entity is not complying with this act, the attorney general, the prosecuting attorney of the county in which the governmental entity serves, or a person may commence a civil action to compel compliance or to enjoin further noncompliance with this act.

(2) An action for injunctive relief against a local governmental entity must be commenced in the circuit court, and venue is proper in any county in which the governmental entity serves. An action for an injunction against a state governmental entity must be commenced in the court of claims. If a person commences an action for injunctive relief, that person is not required to post security as a condition for obtaining a preliminary injunction or a temporary restraining order.

(3) An action for mandamus against a governmental entity under this act must be commenced in a court of appropriate jurisdiction.

(4) If a governmental entity is not complying with this act, and a person commences a civil action against the governmental entity for injunctive relief to compel compliance or to enjoin

further noncompliance with the act and succeeds in obtaining relief in the action, the person shall recover court costs and actual attorney fees for the action.