



HOUSE OVERSIGHT COMMITTEE

House Bills 6184-6214

June 15, 2022

Executive & Emergency
Powers Package

Bill Package Overview



Subject MDHHS Director Emergency Orders to Legislative Approval



Repeals of Unnecessary, Duplicative and Outdated Statutes



Limit Health Inspector Powers



Limit Emergency Orders to 28 Days



Require Legislative Notification

Category 1: MDHHS Emergency Orders

HB 6184 (Alexander) requires the Legislature to approve any extension of an MDHHS director's emergency order past 28 days

Also requires the director to provide the information used to determine the need for an emergency order

The Public Health Code currently allows circumnavigation of the EMA's requirement of legislative approval for an emergency declaration over 28 days

Category 2: Repeals

- Removing outdated, duplicative or unnecessary grants of power
- Many of the powers granted under these sections are also granted under the Administrative Procedures Act (APA)
- Others, such as Sec. 41103 of NREPA have not been used in years

HB 6185

HB 6186

HB 6187

HB 6188

HB 6189

HB 6190

HB 6191

HB 6192

Category 3: Limit Health Inspector Powers

HB 6193 (Fink) amends Section 485 of the Housing Law of Michigan by removing “for any cause” from reasons a health inspector can order residents to leave a dwelling.

Current statute permits that whenever a health inspector finds that a dwelling is infected with a contagious disease, is dangerous to life or health, or for any cause, the inspector may issue an order forcing all occupants to vacate the dwelling within 24 hours.

Category 4: Limit Emergency Orders to 28 Days

HB 6194

- Limits orders issued towards individuals to 28 days.
 - DHHS director may determine that an “imminent danger” exists.

HB 6195

- Limits orders issued for a “menace to public health”.
- DHHS director may determine that a “menace” exists.

HB 6196

- Requires legislative extension for emergency orders issued under the Safe Drinking Water Act

HB 6197

- Requires legislative extension for emergency removal of adulterated products

Category 5: Legislative Notification

- The legislature should receive notification if a department exercises a relevant use of power
- House Bills 6198-6214

Example:

- HB 6202 would require legislative notification if the Governor issues an emergency Declaration of Energy Emergency
 - This act is used frequently, orders are only valid for 90 days without legislative extension

Bill Package Summary

Subject MDHHS Orders to Legislative Approval

- HB 6184 (Alexander)

Repeals

- HB 6185 (Whiteford)
- HB 6186 (Bollin)
- HB 6187 (Rendon)
- HB 6188 (Fink)
- HB 6189 (VanWoerkom)
- HB 6190 (Bollin)
- HB 6191 (Allor)
- HB 6192 (LaFave)

Limit Health Inspector Powers

- HB 6193 (Fink)

Limit Emergency Powers to 28 Days

- HB 6194 (Kahle)
- HB 6195 (Whiteford)
- HB 6196 (Allor)
- HB 6197 (Rendon)

Legislative Notification

- HB 6198 (Johnson)
- HB 6199 (Alexander)
- HB 6200 (Tisdale)
- HB 6201 (Griffin)
- HB 6202 (Martin)
- HB 6203 (Johnson)
- HB 6204 (O'Malley)
- HB 6205 (O'Malley)
- HB 6206 (Griffin)
- HB 6207 (Beeler)
- HB 6208 (LaFave)
- HB 6209 (Beson)
- HB 6210 (Kahle)
- HB 6212 (Yaroch)
- HB 6213 (Eisen)
- HB 6214 (Calley)

Questions?