The following has special meaning:
green underline denotes added text
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2019 MI H 6031	**Author:** Brann **Version:** Enacted - Public Act **Version Date:** 10/22/2020

Act No. 237

Public Acts of 2020

Approved by the Governor

October 22, 2020

Filed with the Secretary of State

October 22, 2020

EFFECTIVE DATE: October 22, 2020

STATE OF MICHIGAN

100TH LEGISLATURE

REGULAR SESSION OF 2020

Introduced by Reps. Brann, Albert, Allor, Webber, Bellino, Steven Johnson, Paquette, Alexander, Meerman, Slagh, Calley, Lower, Marino, LaFave, Wozniak, Rendon, Markkanen, Berman, Maddock, VanSingel, Bollin, Miller, Vaupel, Farrington, Frederick and Filler

ENROLLED HOUSE BILL NO. 6031

AN ACT to amend 1974 PA 154, entitled “An act to prescribe and regulate working conditions; to prescribe the duties of employers and employees as to places and conditions of employment; to create certain boards, commissions, committees, and divisions relative to occupational and construction health and safety; to prescribe their powers and duties and powers and duties of the department of labor and department of public health; to prescribe certain powers and duties of the directors of the departments of labor, public health, and agriculture; to impose an annual levy to provide revenue for the safety education and training division; to provide remedies and penalties; to repeal certain acts and parts of acts; and to repeal certain acts and parts of act on specific dates,” (MCL 408.1001 to 408.1094) by adding section 85.

The People of the State of Michigan enact:

Sec. 85. (1) Notwithstanding any other provision of this act, an employer is not liable under this act for an employee’s exposure to COVID-19 if the employer was operating in compliance with all federal, state, and local statutes, rules, and regulations, executive orders, and agency orders related to COVID-19 that had not been denied legal effect at the time of the exposure. An isolated, de minimis deviation from strict compliance with such statutes, rules, regulations, executive orders, and agency orders unrelated to the employee’s exposure to COVID-19 does not deny an employer the immunity provided in this section.

(2) This section does not do any of the following:

(a) Create, recognize, or ratify a claim or cause of action of any kind.

(b) Eliminate a required element of a claim of any kind including, but not limited to, a causation or proximate cause element.

(c) Amend, repeal, alter, or affect any other immunity or limitation of liability.

(d) Affect a right, remedy, or protection under the worker’s disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941, including the exclusive application of this act.

(3) This section applies retroactively to an exposure to COVID-19 that occurs after March 1, 2020.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 100th Legislature are enacted into law:

(a) House Bill No. 6030.

(b) House Bill No. 6032.

(c) House Bill No. 6101.

This act is ordered to take immediate effect.

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