



STATE OF MICHIGAN
 JOCELYN BENSON, SECRETARY OF STATE
 DEPARTMENT OF STATE
 LANSING

June 22, 2021

**DEADLINE ESTABLISHED FOR PUBLIC COMMENTS
 REGARDING PETITION SUMMARY
 STATEWIDE BALLOT PROPOSAL SPONSORED BY
 UNLOCK MICHIGAN**

Under Michigan election law, the sponsor of an initiative, referendum, or constitutional amendment petition may request approval of the summary of the purpose of the petition prior to placing the petition in circulation. MCL 168.482b(1). If a petition sponsor avails itself of this process, a summary of the proposal’s purpose must be prepared by the Director of Elections and presented to the Board of State Canvassers (Board) for approval or rejection. MCL 168.482b(2). The deadline for the Board to approve or reject the content of the petition summary is the 30th day following the sponsor’s submission. MCL 168.482b(1).

If the Board approves a petition summary as prepared by the Director of Elections, the sponsor must print the approved summary in 12-point type in the heading of the petition, and the Board will be barred from considering a subsequent challenge alleging that the summary is misleading or deceptive. MCL 168.482(3), 168.482b(1), (3). Further, if the Board subsequently determines that the petition contains enough valid signatures to merit certification, the Director of Elections and Board are authorized to draft and approve ballot wording that differs from the petition summary. Opinion of the Attorney General No. 7310 (May 22, 2019).

The “summary of the purpose of the proposed amendment or question” prepared by the Director of Elections may be up to 100 words in length and must consist of a true and impartial statement in language that does not create prejudice for or against the proposal. MCL 168.482b(2). The summary also must inform signers of the subject matter of the petition but need not be legally precise, and use words having a common, everyday meaning to the public. *Id.*

UNLOCK MICHIGAN submitted a request for approval of the petition summary. A copy of the full text of the proposed initiated law is provided with this announcement. **The Director of Elections is inviting public comments regarding the summary of the purpose of this proposed initiative petition, including submissions of suggested language, as follows:**

<i>Deadline for submission of suggested petition summary and/or explanatory materials to staff:</i>	June 29, 2021, 5:00 p.m.
<i>Date of Board of State Canvassers meeting at which summaries will be considered:</i>	To be announced
<i>Deadline for Board of State Canvassers to approve or reject the summary of the content of the petitions:</i>	July 19, 2021 ¹

Submissions may be made via email (Elections@Michigan.gov), U.S. Mail (P.O. Box 20126, Lansing, Michigan 48901), or hand delivery (address provided below). **Submissions must be received in this office by the date and time specified to be considered.**

¹ The 30th day falls on Sunday, July 18, causing the deadline to be extended until the next business day. MCL 168.13.

INITIATION OF LEGISLATION

An initiation of legislation to amend Sections 2253 and 2453 of the Public Health Code, Public Act 368 of 1978, MCL 333.2253 and MCL 333.2453. The Act authorizes the director of the department of health and human services or a local health officer to determine that control of an epidemic is necessary to protect the public health through an emergency order. If enacted, the proposed initiated law would limit the time period that an emergency order is enforceable to 28 days unless the relevant elected governing body approves an extension.

Full text of the proposal (language that would be added is shown in capital letters and deleted language is struck out with a line)

An initiation of legislation to amend 1978 PA 368, entitled

"public health code, "

by amending sections 2253 and 2453 (MCL 333.2253 and MCL 333.2453), as amended by 2006 PA 157.

The People of the State of Michigan enact:

Sec. 2253. (1) If the director determines IN WRITING that control of an epidemic is necessary to protect the public health, the director by emergency order may prohibit the gathering of people for any purpose and may establish procedures to be followed during the epidemic to insure continuation of essential public health services and enforcement of health laws. Emergency procedures shall not be limited to this code. THE AUTHORITY OF THE DIRECTOR TO ISSUE, REVISE, REPLACE, AND ENFORCE AN EMERGENCY ORDER RELATED TO AN EPIDEMIC UNDER THIS SECTION SHALL CONTINUE FOR A PERIOD OF UP TO 28 DAYS AFTER THE DIRECTOR'S WRITTEN DETERMINATION THAT CONTROL OF THAT EPIDEMIC IS NECESSARY TO PROTECT THE PUBLIC HEALTH. AFTER THIS 28-DAY PERIOD, ANY EMERGENCY ORDER UNDER THIS SECTION RELATED TO THAT EPIDEMIC IS AUTOMATICALLY RESCINDED AND UNENFORCEABLE AND ANY NEW EMERGENCY ORDER UNDER THIS SECTION RELATED TO THAT EPIDEMIC SHALL NOT BE ISSUED UNLESS A REQUEST BY THE DIRECTOR FOR AN EXTENSION OF TIME TO ISSUE, REVISE, REPLACE, AND ENFORCE AN EMERGENCY ORDER RELATED TO THAT EPIDEMIC FOR A SPECIFIC NUMBER OF DAYS IS APPROVED BY RESOLUTION OF BOTH HOUSES OF THE LEGISLATURE.

(2) If an epidemic described in subsection (1) involves avian influenza or another virus or disease that is or may be spread by contact with animals, the department of agriculture shall cooperate with and assist the director in the director's response to the epidemic.

(3) Upon request from the director, the department of agriculture shall assist the department in any review or update of the department's pandemic influenza plan under section 5112.

Sec. 2453. (1) If a local health officer determines IN WRITING that control of an epidemic is necessary to protect the public health, the local health officer may issue an emergency order to prohibit the gathering of people for any purpose and may establish procedures to be followed by persons, including a local governmental entity, during the epidemic to insure continuation of essential public health services and enforcement of health laws. Emergency procedures shall not be limited to this code. THE AUTHORITY OF THE LOCAL HEALTH OFFICER TO ISSUE, REVISE, REPLACE, AND ENFORCE AN EMERGENCY ORDER RELATED TO AN EPIDEMIC UNDER THIS SECTION SHALL CONTINUE FOR A PERIOD OF UP TO 28 DAYS AFTER THE LOCAL HEALTH OFFICER'S WRITTEN DETERMINATION THAT CONTROL OF THAT EPIDEMIC IS NECESSARY TO PROTECT THE PUBLIC HEALTH. AFTER THIS 28-DAY PERIOD, ANY EMERGENCY ORDER UNDER THIS SECTION RELATED TO THAT EPIDEMIC IS AUTOMATICALLY RESCINDED AND UNENFORCEABLE AND ANY NEW EMERGENCY ORDER UNDER THIS SECTION RELATED TO THAT EPIDEMIC SHALL NOT BE ISSUED UNLESS A REQUEST BY THE LOCAL HEALTH OFFICER FOR AN EXTENSION OF TIME TO ISSUE, REVISE, REPLACE, AND ENFORCE AN EMERGENCY ORDER FOR A SPECIFIC NUMBER OF DAYS IS APPROVED BY RESOLUTION OF THE LOCAL GOVERNING ENTITY OF THE LOCAL HEALTH DEPARTMENT OR, IN THE CASE OF A LOCAL HEALTH OFFICER FROM A DISTRICT HEALTH DEPARTMENT, THE DISTRICT BOARD OF HEALTH.

(2) A local health department or the department may provide for the involuntary detention and treatment of individuals with hazardous communicable disease in the manner prescribed in sections 5201 to 5238.