



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

ELIZABETH HERTEL
DIRECTOR

March 31, 2021

Emergency Order under MCL 333.2253 – Gatherings and Face Mask Order Amendment

On December 22, 2020, Governor Whitmer signed into law Public Act 254, which amended the Open Meetings Act to, among other things, permit meetings of public bodies to be held electronically by telephonic or video conferencing for any reason through March 31, 2021. Beginning on that date, meetings of public bodies can be held remotely only in certain circumstances, including where a state of emergency or state of disaster is declared. In recognition of the ongoing COVID-19 pandemic, many counties and other local units of government have declared a local state of emergency. Nevertheless, some local units of government have not done so. For units of government that have not declared a disaster or state of emergency, meeting in-person may now be the only lawful option to conduct the public's business in accordance with the Open Meetings Act.

On March 19, 2021, I issued an order entitled Emergency Order under MCL 333.2253 – Gatherings and Face Mask Order. The order limits the size of gatherings, including meetings under the Open Meetings Act. If the March 19, 2021, order is not amended to accommodate in-person meetings of public bodies, the public's ability to participate in meetings of public bodies may be curtailed.

The order issued on March 19, 2021, entitled Emergency Order under MCL 333.2253 – Gatherings and Face Mask Order, is amended to add subsection (15) to section 2(c):

- (15) Gatherings of public bodies and attendees of meetings held by public bodies in compliance with the Open Meetings Act, MCL 15.261 *et seq.*

This amendment takes effect immediately.

Date: March 31, 2021

Elizabeth Hertel, Director

Michigan Department of Health and Human Services