

HOUSE BILL NO. 5491

October 28, 2021, Introduced by Rep. Steven Johnson and referred to the Committee on Government Operations.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 5201 (MCL 333.5201), as amended by 1988 PA 490.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 5201. (1) As used in this part:
- 2 (a) ~~"Carrier"~~**Except as otherwise provided in this**
- 3 **subdivision, "carrier"** means an individual who serves as a
- 4 potential source of infection and who harbors or who the department
- 5 reasonably believes to harbor a specific infectious agent or a

1 serious communicable disease or infection, whether or not there is
2 present discernible disease. **Carrier does not include an individual**
3 **who serves as a potential source of infection and who harbors or**
4 **who the department reasonably believes to harbor SARS-CoV-2 or**
5 **COVID-19.**

6 (b) "Health threat to others" means that an individual who is
7 a carrier has demonstrated an inability or unwillingness to conduct
8 himself or herself in such a manner as to not place others at risk
9 of exposure to a serious communicable disease or infection. Health
10 threat to others includes, but is not limited to, 1 or more of the
11 following:

12 (i) Behavior by the carrier that has been demonstrated
13 epidemiologically to transmit, or that evidences a careless
14 disregard for transmission of, a serious communicable disease or
15 infection to others.

16 (ii) A substantial likelihood that the carrier will transmit a
17 serious communicable disease or infection to others, as evidenced
18 by the carrier's past behavior or statements made by the carrier
19 that are credible indicators of the carrier's intention to do so.

20 (iii) Affirmative misrepresentation by the carrier of his or her
21 status as a carrier before engaging in behavior that has been
22 demonstrated epidemiologically to transmit the serious communicable
23 disease or infection.

24 (2) In addition, article 1 contains general definitions and
25 principles of construction applicable to all articles in this code
26 and part 51 contains definitions applicable to this part.