

SUBSTITUTE FOR
HOUSE BILL NO. 6031

A bill to amend 1974 PA 154, entitled
"Michigan occupational safety and health act,"
(MCL 408.1001 to 408.1094) by adding section 85.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 85. (1) Notwithstanding any other provision of this act,
2 and except as otherwise provided in subsection (2), an employer is
3 not liable under this act for an employee's exposure to COVID-19 if
4 the employer was operating in compliance with federal or state
5 statutes or regulations, executive orders, state agency orders, and
6 public health guidance applicable at the time of the exposure. If
7 more than 1 public health guidance applied to the employer at the
8 time of the exposure, the requirements of this subdivision are
9 satisfied if the employer was operating in compliance with any



1 applicable public health guidance.

2 (2) Subsection (1) does not apply if the employer willfully
3 exposed the employee to COVID-19 unless the employee was, at the
4 time of the exposure, working in a health care setting.

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

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

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

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

13 (4) This section applies retroactively to an exposure to
14 COVID-19 that occurs after January 1, 2020.

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

18 (a) House Bill No. 6030.

19 (b) House Bill No. 6032.

20 (c) House Bill No. 6101.

