

SUBSTITUTE FOR
HOUSE BILL NO. 6364

A bill to amend 1945 PA 302, entitled
"An act authorizing the governor to proclaim a state of emergency,
and to prescribe the powers and duties of the governor with respect
thereto; and to prescribe penalties,"
by amending section 1 (MCL 10.31).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) During times of great public crisis, disaster,
2 rioting, catastrophe, or similar public emergency within the state,
3 or reasonable apprehension of immediate danger ~~thereof~~ **OF A**
4 **PUBLIC EMERGENCY OF THAT KIND**, when public safety is imperiled,
5 either upon application of the mayor of a city, sheriff of a
6 county, **OR** the commissioner of the Michigan state police ~~—~~ or
7 upon his **OR HER** own volition, the governor may proclaim a state of
8 emergency and designate the area involved. ~~Following such~~ **AFTER**

1 **MAKING THE** proclamation or declaration, the governor may promulgate
2 ~~such~~ reasonable orders, rules, and regulations as he ~~deems~~ **OR**
3 **SHE CONSIDERS** necessary to protect life and property ~~—~~ or to
4 bring the emergency situation within the affected area under
5 control. ~~Without limiting the scope of the same, said~~ **THOSE**
6 orders, rules, and regulations may ~~provide~~ **INCLUDE, BUT ARE NOT**
7 **LIMITED TO, PROVIDING** for the control of traffic, including public
8 and private transportation, within the area or any section ~~thereof~~
9 **OF THE AREA**; designation of specific zones within the area in which
10 occupancy and use of buildings and ingress and egress of persons
11 and vehicles may be prohibited or regulated; control of places of
12 amusement and assembly ~~—~~ and of persons on public streets and
13 thoroughfares; establishment of a curfew; control of the sale,
14 transportation, and use of alcoholic beverages and liquors;
15 ~~control of the possession, sale, carrying and use of firearms,~~
16 ~~ether dangerous weapons, and ammunition;~~ and control of the
17 storage, use, and transportation of explosives or inflammable
18 materials or liquids deemed to be dangerous to public safety. ~~Such~~

19 (2) **THE** orders, rules, and regulations ~~shall be~~ **PROMULGATED**
20 **UNDER SUBSECTION (1) ARE** effective from the date and in the manner
21 prescribed in ~~such~~ **THE** orders, rules, and regulations and shall
22 be made public as provided ~~therein~~ **IN THE ORDERS, RULES, AND**
23 **REGULATIONS**. ~~Such~~ **THE** orders, rules, and regulations may be
24 amended, modified, or rescinded, in ~~like~~ **THE** manner **IN WHICH THEY**
25 **WERE PROMULGATED**, from time to time by the governor during the
26 pendency of the emergency, but shall cease to be in effect upon
27 declaration by the governor that the emergency no longer exists.

1 (3) SUBSECTION (1) DOES NOT AUTHORIZE THE SEIZURE, TAKING, OR
2 CONFISCATION OF LAWFULLY POSSESSED FIREARMS, AMMUNITION, OR OTHER
3 WEAPONS.