

HOUSE BILL NO. 6173

June 09, 2022, Introduced by Rep. Farrington and referred to the Committee on Government Operations.

A bill to amend 1974 PA 154, entitled
"Michigan occupational safety and health act,"
by amending section 85 (MCL 408.1085), as added by 2020 PA 237.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 85. (1) Notwithstanding any other provision of this act,
2 an employer is not liable under this act for an employee's exposure
3 to COVID-19 if the employer was operating in compliance with all
4 federal, state, and local statutes, rules, and regulations,
5 executive orders, and agency orders related to COVID-19 that had
6 not been denied legal effect at the time of the exposure. An

1 isolated, de minimis deviation from strict compliance with such
2 statutes, rules, regulations, executive orders, and agency orders
3 unrelated to the employee's exposure to COVID-19 does not deny an
4 employer the immunity provided in this section.

5 (2) 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 (d) Affect a right, remedy, or protection under the worker's
14 disability compensation act of 1969, 1969 PA 317, MCL 418.101 to
15 418.941, including the exclusive application of this act.

16 (3) This section applies retroactively to an exposure to
17 COVID-19 that occurs after March 1, 2020. **This section does not**
18 **apply to an exposure to COVID-19 that occurs after July 1, 2022.**

19 Enacting section 1. This amendatory act does not take effect
20 unless all of the following bills of the 101st Legislature are
21 enacted into law:

22 (a) House Bill No. 5244.

23 (b) Senate Bill No. _____ or House Bill No. 6215 (request no.
24 06230'22).