

HOUSE BILL No. 4697

June 6, 2017, Introduced by Reps. Green, Hertel, Phelps, Iden, Jones, Lasinski, Yanez, Lucido, Elder, Hoadley, LaGrand, Faris, Lower and Yaroach and referred to the Committee on Communications and Technology.

A bill to amend 1976 PA 390, entitled
"Emergency management act,"
by amending section 2 (MCL 30.402), as amended by 1990 PA 50.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Chief executive official" means:

3 (i) In the case of a county with an elected county executive,
4 the county executive.

5 (ii) In the case of a county without an elected county
6 executive, the chairperson of the county board of commissioners, or
7 the appointed administrator designated by appropriate enabling
8 legislation.

9 (iii) In the case of a city, the mayor or the individual
10 specifically identified in the municipal charter.

11 (iv) In the case of a township, the township supervisor.

1 (v) In the case of a village, the village president or the
2 individual specifically identified in the village charter.

3 (b) "Council" means the Michigan emergency management advisory
4 council.

5 (C) "CYBERSECURITY INCIDENT" MEANS AN EVENT OCCURRING ON OR
6 CONDUCTED THROUGH A COMPUTER NETWORK THAT ACTUALLY OR IMMINENTLY
7 JEOPARDIZES THE INTEGRITY, CONFIDENTIALITY, OR AVAILABILITY OF
8 COMPUTERS, INFORMATION, OR COMMUNICATIONS SYSTEMS OR NETWORKS,
9 PHYSICAL OR VIRTUAL INFRASTRUCTURE CONTROLLED BY COMPUTERS OR
10 INFORMATION SYSTEMS, OR INFORMATION RESIDENT ON ANY OF THESE.
11 CYBERSECURITY INCIDENT INCLUDES, BUT IS NOT LIMITED TO, THE
12 EXISTENCE OF A VULNERABILITY IN AN INFORMATION SYSTEM, SYSTEM
13 SECURITY PROCEDURES, INTERNAL CONTROLS, OR IMPLEMENTATION THAT IS
14 SUBJECT TO EXPLOITATION.

15 (D) ~~(e)~~—"Department" means the department of state police.

16 (E) ~~(d)~~—"Director" or "state director of emergency management"
17 means the director of the department of state police or his or her
18 designee.

19 (F) ~~(e)~~—"Disaster" means an occurrence or threat of widespread
20 or severe damage, injury, or loss of life or property resulting
21 from a natural or human-made cause, including, but not limited to,
22 fire, flood, snowstorm, ice storm, tornado, windstorm, wave action,
23 oil spill, water contamination, utility failure, **CYBERSECURITY**
24 **INCIDENT**, hazardous peacetime radiological incident, major
25 transportation accident, hazardous materials incident, epidemic,
26 air contamination, blight, drought, infestation, explosion, or
27 hostile military action or paramilitary action, or similar

1 occurrences resulting from terrorist activities, riots, or civil
2 disorders.

3 **(G)** ~~(f)~~—"Disaster relief forces" means all agencies of state,
4 county, and municipal government, private and volunteer personnel,
5 public officers and employees, and all other persons or groups of
6 persons having duties or responsibilities under this act or
7 pursuant to a lawful order or directive authorized by this act.

8 **(H)** ~~(g)~~—"District coordinator" means the state police
9 emergency management division district coordinator.

10 **(I)** ~~(h)~~—"Emergency" means any occasion or instance in which
11 the governor determines state assistance is needed to supplement
12 local efforts and capabilities to save lives, protect property and
13 the public health and safety, or to lessen or avert the threat of a
14 catastrophe in any part of the state.

15 **(J)** ~~(i)~~—"Emergency management coordinator" means a person
16 appointed pursuant to section 9 to coordinate emergency management
17 within the county or municipality. Emergency management coordinator
18 includes a civil defense director, civil defense coordinator,
19 emergency services coordinator, emergency program manager, or other
20 person with a similar title and duties.

21 **(K)** ~~(j)~~—"Local state of emergency" means a proclamation or
22 declaration that activates the response and recovery aspects of any
23 and all applicable local or interjurisdictional emergency
24 operations plans and authorizes the furnishing of aid, assistance,
25 and directives under those plans.

26 **(L)** ~~(k)~~—"Michigan emergency management plan" means the plan
27 prepared and maintained by the emergency management division of the

1 department and signed by the governor.

2 (M) ~~(l)~~ "Municipality" means a city, village, or township.

3 (N) ~~(m)~~ "Person" means an individual, partnership,
4 corporation, association, governmental entity, or any other entity.

5 (O) ~~(n)~~ "Political subdivision" means a county, municipality,
6 school district, or any other governmental unit, agency, body,
7 board, or commission ~~which~~ **THAT** is not a state department, board,
8 commission, or agency of state government.

9 (P) ~~(o)~~ "Rule" means a rule promulgated pursuant to the
10 administrative procedures act of 1969, ~~Act No. 306 of the Public~~
11 ~~Acts of 1969, being sections 24.201 to 24.328 of the Michigan~~
12 ~~Compiled Laws.~~ **1969 PA 306, MCL 24.201 TO 24.328.**

13 (Q) ~~(p)~~ "State of disaster" means an executive order or
14 proclamation that activates the disaster response and recovery
15 aspects of the state, local, and interjurisdictional emergency
16 operations plans applicable to the counties or municipalities
17 affected.

18 (R) ~~(q)~~ "State of emergency" means an executive order or
19 proclamation that activates the emergency response and recovery
20 aspects of the state, local, and interjurisdictional emergency
21 operations plans applicable to the counties or municipalities
22 affected.