

2nd Sub. H.B. 182

LOCAL HEALTH DEPARTMENT ORDER AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 14, 2022 5:38 PM

Representative **Jordan D. Teuscher** proposes the following amendments:

1. *Page 1, Lines 13 through 16:*

- 13 ▶ excludes state facilities and the capitol hill complex from the authority and
14 jurisdiction of a local health department pertaining to an order of constraint;
 ▶ excludes facilities and areas owned by a municipality from the jurisdiction of a local health
department order of constraint if the legislative body of the municipality votes to exclude the areas and
facilities from the order of constraint;
15 ▶ prohibits a chief executive officer of a municipality from exercising emergency
16 powers in response to a pandemic or an epidemic;

2. *Page 3, Line 86 through Page 4, Line 90:*

- 86 health department's jurisdiction or authority to issue an order of constraint pursuant to a
87 declared public health emergency does not apply to :
 (i) any facility, property, or area owned or
88 leased by the state, including the capitol hill complex, as that term is defined in Section
89 63C-9-102 {-.} ; or
 (ii) any facility, property, or area owned or leased by a municipality, if the legislative body of the
 municipality by majority vote excludes the applicability of the order of constraint as to a facility,
 property, or area owned or leased by a municipality.
90 (c) Subsection (1)(b) does not limit the jurisdiction or authority of a local health

3. *Page 11, Lines 305 through 309:*

- 305 (11) (a) Except as described in Subsection (11)(b), an order of constraint issued by a
306 local health department pursuant to a declared public health emergency does not apply to :
 (i) a
307 facility, property, or area owned or leased by the state, including the capitol hill complex, as
308 that term is defined in Section 63C-9-102 {-.} ; or
 (ii) a facility, property, or area owned or leased by a municipality, if the legislative body of the
 municipality by majority vote excludes the applicability of the order of constraint as to a facility,
 property, or area owned or leased by a municipality.
309 (b) Subsection (11)(a) does not limit the jurisdiction or authority of a local health