

HOUSE BILL NO. 4601

May 15, 2019, Introduced by Reps. LaFave, Berman, Markkanen, Wozniak, Eisen, Rendon, O'Malley, Calley, Brann, Paquette, Bellino, Miller, Frederick, Marino, Mueller and Yaroch and referred to the Committee on Government Operations.

A bill to amend 1951 PA 22, entitled

"An act to require employees and persons in the service of the state and its governmental agencies to take and subscribe to the constitutional oath of office,"

by amending the title and section 1 (MCL 15.151).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 TITLE
- 2 An act to require employees and persons in the service of the
- 3 state and its governmental agencies to take and subscribe to the
- 4 constitutional oath of office; **to provide for the powers and duties**



1 of certain state officers and agencies; and to provide remedies for
 2 the failure to take and subscribe to the constitutional oath of
 3 office.

4 Sec. 1. (1) All ~~persons~~**individuals** now employed, or who may
 5 be employed by ~~the~~**this** state ~~of Michigan~~ or any governmental
 6 agency ~~thereof~~,**of this state**, and all other ~~persons~~**individuals** in
 7 the service of ~~the~~**this** state or any governmental agency **of this**
 8 **state**, shall, as a condition of their employment, take and
 9 subscribe to the oath or affirmation required of members of the
 10 legislature and other public officers by ~~section 2 of article 16 of~~
 11 ~~the constitution of 1908 of the state of Michigan.~~**section 1 of**
 12 **article XI of the state constitution of 1963.**

13 (2) The oath or affirmation required to be taken and
 14 subscribed to by an individual under subsection (1) must be
 15 administered by a member of the legislature or public officer
 16 described in subsection (1) who is the individual's superior within
 17 this state or the governmental agency.

18 (3) This state or a governmental agency of this state shall
 19 not pay any compensation, remuneration, or reimbursement to an
 20 individual described in subsection (1) unless the individual has
 21 taken and subscribed to the oath or affirmation required under
 22 subsection (1). The individual shall remit to this state or the
 23 respective governmental agency any compensation, remuneration, or
 24 reimbursement the individual received from this state or the
 25 governmental agency before taking and subscribing to the oath or
 26 affirmation.

27 (4) Unless an individual described in subsection (1) takes and
 28 subscribes to the oath of affirmation, the individual does not have
 29 authority to act on behalf of this state or the governmental



1 agency. Any actions taken by the individual on behalf of this state
2 or the governmental agency before taking and subscribing to the
3 oath or affirmation are void.

4 Enacting section 1. This amendatory act takes effect 90 days
5 after the date it is enacted into law.

