

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 17

A bill to amend 1968 PA 317, entitled  
"An act relating to the conduct of public servants in respect to  
governmental decisions and contracts with public entities; to  
provide penalties for the violation of this act; to repeal certain  
acts and parts of acts; and to validate certain contracts,"  
by amending section 3a (MCL 15.323a), as amended by 2011 PA 106.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 3a. Section 2 ~~shall~~**does** not be construed to do any of  
2 the following:

3           (a) Prohibit **a** public ~~servants~~**servant** of a city, village,  
4 township, or county with a population of less than ~~25,000~~**40,000**  
5 from serving, with or without compensation, as **an** emergency medical  
6 services personnel as defined in section 20904 of the public health  
7 code, 1978 PA 368, MCL 333.20904.

1           (b) Prohibit **a public ~~servants~~servant** of a city, village,  
2 township, or county with a population of less than ~~25,000~~**40,000**  
3 from serving, with or without compensation, as a firefighter, **fire**  
4 **chief, police officer, chief of police, or public safety officer** in  
5 ~~that~~**the** city, village, township, or county if ~~that firefighter is~~  
6 **both of the following conditions are met:**

7           **(i) The public servant does not any of the following:**

8           ~~(i) A full-time firefighter.~~

9           ~~(ii) A fire chief.~~

10          ~~(iii) A person who negotiates~~**negotiate collective bargaining**  
11 **agreements** with the city, village, township, or county on behalf of  
12 the firefighters, **fire chiefs, police officers, chiefs of police,**  
13 **or public safety officers.**

14          **(ii) The public servant does not take any part in the approval**  
15 **of a collective bargaining agreement if the public servant is a**  
16 **member of a labor organization that is a party to the collective**  
17 **bargaining agreement.**

18           (c) Limit the authority of the governing body of a city,  
19 village, township, or county with a population of less than ~~25,000~~  
20 **40,000** to authorize a public servant to perform, with or without  
21 compensation, other additional services for the unit of local  
22 government.

23           (d) Prohibit **a public ~~servants~~servant** of this state from  
24 purchasing at a tax sale lands returned as delinquent for taxes  
25 under the general property tax act, 1893 PA 206, MCL 211.1 to  
26 211.155, unless otherwise prohibited by the rules of the Michigan  
27 civil service commission or the department or agency of which that  
28 public servant is an employee.

29           (e) Prohibit a superintendent of an intermediate school

1 district from serving simultaneously as superintendent of a local  
2 school district, or prohibit an intermediate school district from  
3 contracting with another person to serve as superintendent of a  
4 local school district, even if the local school district is a  
5 constituent district of the intermediate school district. As used  
6 in this subdivision, "constituent district" means that term as  
7 defined in section 3 of the revised school code, 1976 PA 451, MCL  
8 380.3.

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