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FORMER STATE EMPLOYEES' ETHICS

House Bill 4047

Sponsor: Rep. Lingg Brewer

**Committee: Employment Relations,
Training and Safety**

Complete to 1-27-99

A SUMMARY OF HOUSE BILL 4047 AS INTRODUCED 1-29-99

House Bill 4047 would amend Public Act 196 of 1973, the act that creates the State Board of Ethics, to prescribe certain standards of conduct for former public officers and employees. Under the law, standards are prescribed only for current public officers and employees.

Generally, House Bill 4047 would prohibit former executive-level state employees from accepting a business' compensation for one year after leaving state employment, if he or she had negotiated a contract to privatize public services with that business. More specifically, the bill would prohibit a former employee who is classified in the state executive service or as a group four employee by the Department of Civil Service from receiving compensation from a business that provides services once performed by state employees, if the former employee was involved with negotiating the contract for performing the services that were performed by state employees.

Under the bill, a former public officer or employee who violates this prohibition would be guilty of a misdemeanor punishable by imprisonment for up to two years, a fine up to \$3,000, or both. However, a public officer or employee would not be in violation if, before separation from state employment, that employee were to obtain a written statement from the Board of Ethics that the employee's state employment did not significantly affect the contract for services. The bill also would require the Board of Ethics to evaluate these matters and make a written determination when requested to do so.

MCL 15.345

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.