

# HOUSE BILL No. 4379

February 19, 2009, Introduced by Reps. Barnett, Sheltroun, Scripps, Tlaib, Byrum, Mayes, Spade, Terry Brown, Gregory, Miller, Roberts, Leland, Hammel, Haugh, Lindberg, Slezak, LeBlanc, Byrnes, Ebli, Bauer, Nerat, Durhal, Bledsoe, Robert Jones, Coulouris, Geiss, Dean, Meadows, Lisa Brown, Huckleberry, Haase, Valentine, Donigan, Segal, Switalski, Kandrevas, Angerer, Melton and Slavens and referred to the Committee on Ethics and Elections.

A bill to amend 1968 PA 318, entitled

"An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts,"

(MCL 15.301 to 15.310) by adding section 2a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 2A. (1) A LEGISLATOR SHALL NOT VOTE ON A BILL WITH WHICH  
2 HE OR SHE HAS A SUBSTANTIAL CONFLICT OF INTEREST. IF THE LEGISLATOR  
3 HAS A SUBSTANTIAL CONFLICT OF INTEREST, THE LEGISLATOR SHALL STATE  
4 THAT FACT ON THE RECORD.

5           (2) ANY MEMBER OF THE LEGISLATURE VIOLATING THE PROVISIONS OF  
6 THIS SECTION SHALL BE SUBJECT TO APPROPRIATE DISCIPLINARY ACTION BY  
7 THE HOUSE OF WHICH HE OR SHE IS A MEMBER.

1           (3) AS USED IN THIS SECTION:

2           (A) "LEGISLATOR" MEANS A MEMBER OF THE LEGISLATURE.

3           (B) "RELATED PERSON" MEANS A LEGISLATOR'S SPOUSE, DEPENDENT  
4 CHILD, OR ANY OTHER INDIVIDUAL RESIDING IN THE SAME HOUSEHOLD AS  
5 THE LEGISLATOR.

6           (C) "SUBSTANTIAL CONFLICT OF INTEREST" MEANS A LEGISLATOR HAS  
7 A PERSONAL INTEREST IN LEGISLATION AND, BY REASON OF HIS OR HER  
8 PARTICIPATION IN THE ENACTMENT OR DEFEAT OF ANY LEGISLATION, HE OR  
9 SHE, OR A RELATED PERSON, WILL DERIVE A DIRECT MONETARY GAIN OR  
10 SUFFER A DIRECT MONETARY LOSS. A PERSONAL INTEREST CAN BE INFERRED  
11 IF A BENEFIT OR DETRIMENT COULD REASONABLY BE EXPECTED TO ACCRUE TO  
12 THE LEGISLATOR, OR A RELATED PERSON, AS A MEMBER OF A BUSINESS,  
13 PROFESSION, OCCUPATION, OR GROUP, TO A GREATER EXTENT THAN TO ANY  
14 OTHER MEMBER OF THAT BUSINESS, PROFESSION, OCCUPATION, OR GROUP.