

HOUSE BILL No. 4200

February 8, 2011, Introduced by Reps. Stanley, Melton, Lane, Darany, Slavens, Haugh, Townsend, Kandrevas, Smiley, Ananich, Dillon, McCann, Liss, Rutledge, Constan, Barnett, Bauer, Segal, Stapleton, Hovey-Wright, Hobbs, Bledsoe, Switalski, Geiss, Stallworth, Cavanagh, Byrum, Lipton, Durhal, Lindberg, Howze, Santana, Talabi, Brunner, Oakes, Brown and Womack and referred to the Committee on Commerce.

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 264 (MCL 18.1264), as added by 1988 PA 504, and by adding section 264a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 264. The department may debar a vendor from participation
2 in the bid process and from contract award upon notice and a
3 finding that the vendor is not able to perform responsibly; ~~or~~
4 that the vendor, or an officer or an owner of a 25% or greater
5 share of the vendor, has demonstrated a lack of integrity that
6 could jeopardize the state's interest if the state were to contract
7 with the vendor; **THAT THE DEPARTMENT HAS RECEIVED NOTICE THAT A**
8 **FEDERAL AGENCY HAS FOUND THE VENDOR TO HAVE VIOLATED 8 USC 1324A(A)**

1 IN AN ACTION UNDER 8 USC 1324A(E) AS TO EMPLOYEES PERFORMING WORK
2 UNDER THE CONTRACT; OR THAT THE VENDOR HAS KNOWINGLY OR REPEATEDLY
3 VIOLATED THE PROVISIONS OF 1965 PA 166, MCL 408.551 TO 408.558, IF
4 APPLICABLE, IN THE PERFORMANCE OF A STATE CONTRACT.

5 SEC. 264A. THE DEPARTMENT SHALL INCLUDE A CLAUSE REQUIRING THE
6 CONTRACTOR TO ALLOW ONLY INDIVIDUALS WHO ARE AUTHORIZED TO WORK IN
7 THE UNITED STATES TO PERFORM SERVICES UNDER THE CONTRACT AND A
8 CLAUSE STATING THAT THE CONTRACTOR SHALL NOT KNOWINGLY OR
9 REPEATEDLY VIOLATE THE PROVISIONS OF 1965 PA 166, MCL 408.551 TO
10 408.558, IF APPLICABLE, IN EACH CONTRACT IT ENTERS INTO THAT
11 INCLUDES SERVICES.