

# HOUSE BILL No. 4479

April 19, 2017, Introduced by Reps. Sneller, Pagan, Elder, Camilleri, Sabo, Rabhi, Moss and Wittenberg and referred to the Committee on Elections and Ethics.

A bill to amend 1976 PA 169, entitled

"An act to regulate certain political activities by certain public employees; to prescribe the powers and duties of certain state agencies; and to provide penalties,"

by amending sections 1, 5, and 6 (MCL 15.401, 15.405, and 15.406).

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

1           Sec. 1. As used in this act, "public employee" means an  
2 employee of the state classified civil service, **AN EMPLOYEE OF THE**  
3 **LEGISLATIVE BRANCH OF STATE GOVERNMENT**, or an employee of a  
4 political subdivision of ~~the~~**THIS** state who is not an elected  
5 official.

6           Sec. 5. A public employer, public employee, or an elected or  
7 appointed official may not personally, or through an agent, coerce,  
8 attempt to coerce, or command another public employee to pay, lend,

1 or contribute anything of value to a party, committee,  
2 organization, agency, or person ~~for the~~ **TO** benefit ~~of~~ a person  
3 seeking or holding elected office, or ~~for the purpose of furthering~~  
4 **TO FURTHER** or ~~defeating~~ **DEFEAT** a proposed law, ballot question, or  
5 other measure that may be submitted to a vote of the electors.

6 Sec. 6. (1) An employee of **THE LEGISLATIVE BRANCH OF STATE**  
7 **GOVERNMENT OR AN EMPLOYEE OF** a political subdivision of this state  
8 whose rights under this act are violated or who is subjected to any  
9 of the actions prohibited by section 5 may ~~make~~ **FILE** a complaint ~~to~~  
10 ~~that effect~~ with the department of ~~labor~~. **LICENSING AND REGULATORY**  
11 **AFFAIRS**. The department **OF LICENSING AND REGULATORY AFFAIRS** shall  
12 hold a hearing to determine whether a violation has occurred. If a  
13 violation has occurred, the department **OF LICENSING AND REGULATORY**  
14 **AFFAIRS** shall so state on the record and may order any of the  
15 following:

- 16 (a) Issuance of back pay.  
17 (b) Reinstatement as an employee.  
18 (c) Attorney fees.  
19 (d) Reinstatement of all work-related benefits, rights, or  
20 privileges ~~which,~~ **THAT**, but for the violation by the employer,  
21 would have been accrued by the employee.

22 (2) Upon motion by the department **OF LICENSING AND REGULATORY**  
23 **AFFAIRS** to the circuit court, the court may issue an injunction to  
24 enforce the order of the department **OF LICENSING AND REGULATORY**  
25 **AFFAIRS**.

26 (3) The ~~department of~~ civil service **COMMISSION** shall  
27 promulgate rules for hearing alleged violations of this act by a

1 state employee.

2 (4) The department of ~~labor~~**LICENSING AND REGULATORY AFFAIRS**  
3 shall promulgate rules for hearing alleged violations of this act  
4 by an employee of **THE LEGISLATIVE BRANCH OF STATE GOVERNMENT OR AN**  
5 **EMPLOYEE OF** a political subdivision of this state. The ~~rules~~  
6 **DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS** shall ~~be promulgated~~  
7 **PROMULGATE THE RULES** pursuant to ~~Act No. 306 of the Public Acts of~~  
8 ~~1969, as amended.~~**THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA**  
9 **306, MCL 24.201 TO 24.328.**