

HOUSE BILL No. 5730

March 15, 2018, Introduced by Reps. Dianda, Sabo, Zemke, Marino, Geiss, Elder, Cochran, Gay-Dagnogo and Yanez and referred to the Committee on Elections and Ethics.

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 amending the title and by adding section 2a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to implement the provisions of section 10 of article 4 IV of the **STATE** constitution ~~relating to~~ **OF 1963 PROHIBITING** substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with ~~the~~ **THIS** state and ~~the~~ political subdivisions ~~thereof;~~ **AND PROHIBITING**

1 **MEMBERS OF THE LEGISLATURE FROM VOTING ON CERTAIN BILLS;** to provide
2 ~~for penalties; for the violation thereof;~~ to repeal all acts and
3 parts of acts in conflict with this act; and to validate certain
4 contracts.

5 **SEC. 2A. (1) A LEGISLATOR SHALL NOT VOTE ON A BILL IN WHICH**
6 **THE LEGISLATOR HAS A DIRECT FINANCIAL INTEREST OR THE LEGISLATOR**
7 **KNOWS OR REASONABLY SHOULD KNOW THAT A RELATED PERSON HAS A DIRECT**
8 **FINANCIAL INTEREST.**

9 (2) A LEGISLATOR WHO VIOLATES SUBSECTION (1) IS GUILTY OF A
10 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A
11 FINE OF NOT MORE THAN \$5,000.00, OR BOTH.

12 (3) AS USED IN THIS SECTION:

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

14 (B) "RELATED PERSON" MEANS A SPOUSE, PARENT, STEPPARENT,
15 CHILD, STEPCHILD, SIBLING, OR HALF SIBLING OF THE LEGISLATOR.

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

18 Enacting section 2. This amendatory act does not take effect
19 unless House Bill No. 4345 of the 99th Legislature is enacted into
20 law.

21 Enacting section 3. This amendatory act does not take effect
22 unless Senate Joint Resolution ____ or House Joint Resolution HH ____
23 (request no. 05156'17 a) of the 99th Legislature becomes a part of
24 the state constitution of 1963 as provided in section 1 of article
25 XII of the state constitution of 1963.