

HOUSE BILL No. 6546

November 28, 2018, Introduced by Rep. Tedder and referred to the Committee on Michigan Competitiveness.

A bill to amend 2011 PA 98, entitled "Fair and open competition in governmental construction act," by amending sections 5 and 11 (MCL 408.875 and 408.881), section 5 as amended by 2012 PA 238.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. Subject to section 8, a governmental unit awarding a
2 contract on or after ~~the effective date of the amendatory act that~~
3 ~~added section 2~~ **JUNE 29, 2012** for the construction, repair,
4 remodeling, or demolition of a facility and any construction
5 manager acting on its behalf shall not, in any bid specifications,
6 project agreements, or other controlling documents:

7 (a) Require or prohibit a bidder, offeror, contractor, or
8 subcontractor from entering into or adhering to an agreement with 1
9 or more labor organizations in regard to that project or a related

1 construction project.

2 (b) Otherwise discriminate against a bidder, offeror,
3 contractor, or subcontractor for becoming or remaining or refusing
4 to become or remain a signatory to, or for adhering or refusing to
5 adhere to, an agreement with 1 or more labor organizations in
6 regard to that project or a related construction project.

7 Sec. 11. The requirements of this act do not

8 ~~do either of the following:~~

9 ~~—— (a) Affect any provision in 1965 PA 166, MCL 408.551 to~~
10 ~~408.558.~~

11 ~~—— (b) Apply~~ **APPLY** to construction contracts executed before the
12 effective date of this act.

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