

HOUSE BILL NO. 5322

November 09, 2023, Introduced by Reps. Phil Green, Aragona, Bierlein, Johnsen, BeGole, Rigas, St. Germaine and Jaime Greene and referred to the Committee on Government Operations.

A bill to amend 1984 PA 270, entitled
"Michigan strategic fund act,"
(MCL 125.2001 to 125.2094) by adding section 7c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 7c. (1) Notwithstanding anything to the contrary in this**
2 **act, the fund shall not provide a grant, loan, or other economic**
3 **assistance to a person for a project or endeavor unless all of the**
4 **following requirements are met:**

5 **(a) The person certifies that the person will not use forced**
6 **labor in connection with the project or endeavor.**

1 (b) The person agrees to provide the fund with any information
2 the fund considers necessary to verify that the person is complying
3 with the certification under subdivision (a).

4 (c) The person agrees to return any money received as part of
5 a grant, loan, or other economic assistance if the person violates
6 the certification under subdivision (a).

7 (2) The attestations described in subsection (1) (a), (b), and
8 (c) must be in writing and signed by an individual with the
9 authority to bind the person receiving the grant, loan, or other
10 economic assistance. The attestations may be included as part of a
11 written agreement executed under this act.

12 (3) A person is considered to use forced labor for purposes of
13 this section if the person directly or indirectly does any of the
14 following:

15 (a) Mines, produces, or manufactures wholly or in part any
16 goods, wares, articles, or merchandise with forced labor.

17 (b) Works with the government of a foreign country to recruit,
18 transport, transfer, harbor, or receive forced labor.

19 (c) Exports or purchases products mined, produced, or
20 manufactured wholly or in part by a person described in subdivision
21 (a) or (b).

22 (d) Sources material from a person described in subdivision
23 (a) or (b).

24 (4) As used in this section:

25 (a) "Forced labor" means any of the following:

26 (i) Any work or service that is obtained by any of the
27 following:

28 (A) Any force, fraud, or coercion, including, but not limited
29 to, by threat of serious harm to, or physical restraint against, an

1 individual.

2 (B) A scheme, plan, or pattern intended to cause an individual
3 to believe that if the individual did not perform the labor or
4 service, that individual, or another individual, would suffer
5 serious harm or physical restraint.

6 (C) Any abuse or threatened abuse of law or the legal process.

7 (ii) Any work or service that is imposed on the basis of a
8 protected characteristic.

9 (iii) Any work or service that is not offered or provided
10 voluntarily by the individual.

11 (iv) Any work or service that is produced through oppressive
12 child labor.

13 (b) "Oppressive child labor" means a condition of employment
14 under which an individual who is under 16 years of age is employed
15 in an occupation that is hazardous for the employment of children,
16 including, but not limited to, manufacturing or mining.

17 (c) "Protected characteristic" means a characteristic that is
18 protected under the Elliott-Larsen civil rights act, 1976 PA 453,
19 MCL 37.2101 to 37.2804.