

# SENATE BILL No. 703

February 4, 1992, Introduced by Senators DI NELLO and  
WELBORN and referred to the Committee on Government  
Operations.

A bill to amend section 2 of Act No. 169 of the Public Acts  
of 1976, entitled as amended

"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,"

being section 15.402 of the Michigan Compiled Laws; and to add  
section 2a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 2 of Act No. 169 of the Public Acts of  
2 1976, being section 15.402 of the Michigan Compiled Laws, is  
3 amended and section 2a is added to read as follows:

4       Sec. 2. An employee of the state classified civil service  
5 may DO ALL OF THE FOLLOWING:

6       (a) Become a member of a political party committee formed or  
7 authorized under the election laws of this state.

1 (b) ~~Be~~ BECOME a delegate to a state convention, or a  
2 district or county convention held by a political party in this  
3 state.

4 (c) Become a candidate for nomination and election to any  
5 district, county, city, village, township, school district, or  
6 other local elective office without first obtaining a leave of  
7 absence from his OR HER employment. If ~~the~~ A person becomes a  
8 candidate for elective office in the executive or legislative  
9 ~~branches~~ BRANCH of the state or for the supreme court or court  
10 of appeals, ~~the~~ THAT person shall request and shall be granted  
11 a leave of absence without pay when he OR SHE complies with the  
12 candidacy filing requirements, or 60 days before any election  
13 relating to that position, whichever date is closer to the  
14 election. THE LEAVE OF ABSENCE SHALL CONTINUE FOR A PERIOD OF 1  
15 YEAR AFTER THE LEAVE OF ABSENCE IS GRANTED.

16 (d) Engage in other political activities on behalf of a can-  
17 didate or issue in connection with partisan or nonpartisan  
18 elections.

19 SEC. 2A. (1) EXCEPT AS OTHERWISE PROVIDED BY LAW, IF AN  
20 UNCLASSIFIED PUBLIC EMPLOYEE BECOMES A CANDIDATE FOR ELECTIVE  
21 OFFICE IN THE EXECUTIVE OR LEGISLATIVE BRANCH OF THE STATE OR FOR  
22 THE SUPREME COURT OR COURT OF APPEALS, THAT PERSON SHALL REQUEST  
23 AND SHALL BE GRANTED A LEAVE OF ABSENCE WITHOUT PAY WHEN HE OR  
24 SHE COMPLIES WITH THE CANDIDACY FILING REQUIREMENTS, OR 60 DAYS  
25 BEFORE ANY ELECTION RELATING TO THAT POSITION, WHICHEVER DATE IS  
26 CLOSER TO THE ELECTION. THE LEAVE OF ABSENCE SHALL CONTINUE FOR  
27 A PERIOD OF 1 YEAR AFTER THE LEAVE OF ABSENCE IS GRANTED.

1       (2) THE ACTIVITY PERMITTED BY SUBSECTION (1) SHALL NOT BE  
2 ACTIVELY ENGAGED IN BY AN UNCLASSIFIED PUBLIC EMPLOYEE DURING THE  
3 HOURS WHEN THAT UNCLASSIFIED PUBLIC EMPLOYEE IS BEING COMPENSATED  
4 FOR THE PERFORMANCE OF THAT PERSON'S DUTIES AS AN EMPLOYEE OF THE  
5 STATE OF MICHIGAN.

6       (3) AS USED IN THIS SECTION, "UNCLASSIFIED PUBLIC EMPLOYEE"  
7 MEANS A PERSON IN ANY OF THE FOLLOWING POSITIONS:

8       (A) STATE EMPLOYMENT POSITION FILLED BY POPULAR ELECTION.

9       (B) HEAD OF PRINCIPAL DEPARTMENT.

10      (C) MEMBER OF BOARD OR COMMISSION.

11      (D) PRINCIPAL EXECUTIVE OFFICER OF BOARD OR COMMISSION HEAD-  
12 ING PRINCIPAL DEPARTMENT.

13      (E) EMPLOYEE OF COURT OF RECORD.

14      (F) EMPLOYEE OF THE LEGISLATURE.

15      (G) EMPLOYEE OF A STATE INSTITUTION OF HIGHER EDUCATION.

16      (H) EXEMPT POSITION WITHIN THE OFFICE OF THE GOVERNOR.

17      (I) EXEMPT POSITION WITHIN EACH PRINCIPAL DEPARTMENT.

18      (J) OTHER EXEMPT POSITION AS DETERMINED BY THE CIVIL SERVICE  
19 COMMISSION PURSUANT TO ARTICLE XI, SECTION 5 OF THE STATE CONSTI-  
20 TUTION OF 1963.