



SENATE BILL No. 630

May 6, 1993, Introduced by Senator WELBORN and referred
to the Committee on Government Operations.

A bill to amend section 2 of Act No. 317 of the Public Acts
of 1968, entitled as amended

"An act relating to the conduct of public servants in respect to
governmental decisions and contracts with public entities; to
provide penalties for the violation of this act; to repeal cer-
tain acts and parts of acts; and to validate certain contracts,"

as amended by Act No. 9 of the Public Acts of 1992, being section
15.322 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 317 of the Public Acts of
2 1968, as amended by Act No. 9 of the Public Acts of 1992, being
3 section 15.322 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 2. (1) Except as provided in sections 3 and 3a, a
6 public servant shall not be a party, directly or indirectly, to

1 any contract between himself or herself and the public entity of
2 which he or she is an officer or employee.

3 (2) Except as provided in section 3, a public servant shall
4 not directly or indirectly solicit any contract between the
5 public entity of which he or she is an officer or employee and
6 any of the following:

7 (a) ~~Him~~ HIMSELF or herself.

8 (b) Any firm, meaning a ~~co-partnership~~ COPARTNERSHIP or
9 other unincorporated association, of which he or she is a part-
10 ner, member, or employee.

11 (c) Any private corporation in which he or she is a stock-
12 holder owning more than 1% of the total outstanding stock of any
13 class if the stock is not listed on a stock exchange, or stock
14 with a present total market value in excess of \$25,000.00 if the
15 stock is listed on a stock exchange or of which he or she is a
16 director, officer, or employee.

17 (d) Any trust of which he or she is a beneficiary or
18 trustee.

19 (3) In regard to a contract described in subsection (2), a
20 public servant shall not do either of the following:

21 (a) Take any part in the negotiations for such a contract or
22 the renegotiation or amendment of the contract, or in the
23 approval of the contract.

24 (b) Represent either party in the transaction.

25 (4) A PUBLIC SERVANT SHALL NOT TAKE ANY PART IN THE NEGOTIA-
26 TION, RENEGOTIATION, AMENDMENT, OR APPROVAL OF A CONTRACT WITH
27 THE PUBLIC ENTITY OF WHICH THE PUBLIC SERVANT IS AN OFFICER OR

- 1 EMPLOYEE IF THE SPOUSE OF THE PUBLIC SERVANT BENEFITS EITHER
- 2 DIRECTLY OR INDIRECTLY FROM THE CONTRACT.