



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bill 5333 (Substitute H-1 as passed by the House)  
Sponsor: Representative Dale Sheltrown  
House Committee: Local Government and Urban Policy  
Senate Committee: Local, Urban and State Affairs

Date Completed: 12-11-03

### **CONTENT**

**The bill would amend Public Act 156 of 1851, which defines the powers and duties of county boards of commissioners, to do the following:**

- Exempt counties with a population of 25,000 or less from the Act's prohibition against county commissioners' receiving appointment or employment from the county.**
- Provide that violators would be responsible for the costs of enforcement up to \$100 (rather than liable for the appointee's or employee's compensation).**

Under the Act, a member of a county board of commissioners may not receive or be eligible for an appointment from, or be employed by, an officer, board, committee, or other authority of the county, except as otherwise provided by law.

Currently, the person making an appointment or employment in violation of the prohibition, the person appointed or employed, and a member of a committee or board that made a prohibited appointment or employment contract, are liable for the salary, wages, or compensation paid in connection with the appointment or employment. The bill would delete these provisions.

Under the bill, in the case of an appointment or employment made in violation of the Act, both the person who made the appointment or employment, and the person appointed or employed, would be responsible for the costs of enforcing the prohibition up to \$100. Further, if a prohibited appointment or employment were made by a committee or board, each board or committee member would be responsible for enforcement costs of up to \$100.

The bill specifies that a person would have to be removed from an appointment or employment made in violation of the Act.

MCL 46.30a

Legislative Analyst: George Towne

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: David Zin

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.