

# HOUSE BILL No. 5806

April 22, 2004, Introduced by Reps. Woodward, Vagnozzi, Condino, Meisner, Tobocman, Phillips, Bradstreet, Garfield, Nofs, Pappageorge, Ruth Johnson, Stakoe and Shulman and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1973 PA 139, entitled

"An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies,"

(MCL 45.551 to 45.573) by adding section 6b.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 6b. (1) A member of the county board of commissioners  
2 of any county shall not be eligible during his or her term of  
3 office and for 1 year from the last date he or she held office to  
4 receive an appointment from or be employed by an officer, board,  
5 committee, or other authority of that county except as otherwise  
6 provided by law.

7       (2) If an appointment or employment is made in violation of

1 this section, both the person approving the appointment or  
2 employment and the person appointed or employed are liable to the  
3 county for money paid in salary, wages, or compensation in  
4 connection with the appointment or employment. An action for the  
5 recovery of salary, wages, or compensation paid in violation of  
6 this section may be maintained by a taxpayer of the county. The  
7 money recovered in the action shall be deposited in the county's  
8 general fund.

9 (3) The prosecuting attorney of the county, upon the request  
10 of a taxpayer, may prosecute an action under this section in the  
11 taxpayer's behalf.

12 (4) A person who violates this section is guilty of a  
13 misdemeanor punishable by a fine of not more than \$100.00 or  
14 imprisonment for not more than 90 days, or both.

15 (5) This act does not prohibit the right of a member of the  
16 county board of commissioners of a county to become a candidate  
17 for an elective office at a general or special election or to  
18 accept from the county board of commissioners an office or  
19 appointment for which a salary is not paid for the services.