

HOUSE BILL No. 4315

February 22, 2007, Introduced by Reps. Bieda, Tobocman, Corriveau, Clemente, Meadows, Brown, Polidori, Condino and Mayes and referred to the Committee on Ethics and Elections.

A bill to amend 1968 PA 318, entitled

"An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts,"

by amending section 2 (MCL 15.302).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) ~~No~~~~A~~ member of the legislature ~~, herein referred~~
2 ~~to as a "legislator", nor any~~ **AND A** state officer shall **NOT** be
3 interested directly or indirectly in any contract with ~~the~~**THIS**
4 state or any political subdivision ~~thereof which~~**OF THIS STATE THAT**
5 shall cause a substantial conflict of interest.

6 (2) **A LEGISLATOR SHALL NOT VOTE ON A BILL WITH WHICH HE OR SHE**
7 **HAS A SUBSTANTIAL CONFLICT OF INTEREST. IF THE LEGISLATOR HAS A**
8 **SUBSTANTIAL CONFLICT OF INTEREST, THE LEGISLATOR SHALL STATE THAT**

1 FACT ON THE RECORD.

2 (3) AS USED IN THIS ACT:

3 (A) "LEGISLATOR" MEANS A MEMBER OF THE LEGISLATURE.

4 (B) "SUBSTANTIAL CONFLICT OF INTEREST" MEANS A CLOSE ECONOMIC
5 ASSOCIATION OR PERSONAL RELATIONSHIP BETWEEN A LEGISLATOR OR STATE
6 OFFICER AND A PERSON THAT IS LIKELY TO BE SUBSTANTIALLY AFFECTED BY
7 AN OFFICIAL ACTION OR DECISION OF THE LEGISLATOR OR STATE OFFICER
8 THAT A REASONABLE PERSON WOULD BELIEVE CONFLICTS WITH THE PUBLIC
9 DUTY OR OBLIGATION OF THE LEGISLATOR OR STATE OFFICER TO EXERCISE
10 OBJECTIVE INDEPENDENT JUDGMENT OR THAT A REASONABLE PERSON WOULD
11 BELIEVE CREATES THE APPEARANCE THAT THE PERSON MAY HAVE UNDUE
12 ACCESS TO CONFIDENTIAL INFORMATION OR MAY OTHERWISE RECEIVE FAVORED
13 TREATMENT REGARDING A PUBLIC ACTION. SUBSTANTIAL CONFLICT OF
14 INTEREST DOES NOT INCLUDE A CONTRACT ARISING OUT OF THE STATUS OF
15 BEING A STUDENT AT A STATE INSTITUTION OF HIGHER EDUCATION
16 AUTHORIZED BY SECTION 5 OR 6 OF ARTICLE VIII OF THE STATE
17 CONSTITUTION OF 1963 IF THE STUDENT IS ELECTED OR APPOINTED TO THE
18 GOVERNING BOARD OF THE INSTITUTION.