

SENATE BILL No. 1514

September 28, 2010, Introduced by Senators JANSEN and HUNTER and referred to the Committee on Campaign and Election Oversight.

A bill to implement the provisions of section 8 of article XI of the state constitution of 1963 relating to certain qualifications of public employees; to require an affidavit affirming the qualifications from applicants for hire or transfer to certain public employment; to prohibit a public employer from hiring or retaining in public employment certain convicted felons; and to prescribe penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "public employee qualification act".

3 Sec. 2. As used in this act, "public employer" means this
4 state, a city, village, township, or county of this state, or a
5 department, board, agency, institution, commission, authority,
6 division, council, college, university, school district,

1 intermediate school district, special district, or other public
2 entity of this state or of 1 or more cities, village, townships, or
3 counties of this state.

4 Sec. 3. A public employer shall not hire an individual for or
5 transfer an individual to a position that is policy-making or that
6 has discretionary authority over public assets unless the
7 individual submits an affidavit stating that the individual has not
8 been convicted within the immediately preceding 20 years of a
9 felony involving dishonesty, deceit, fraud, or a breach of the
10 public trust that was related to the individual's official capacity
11 while holding an elective office or position of employment in
12 local, state, or federal government. If a public employer has
13 reason to believe that a current employee in a position that is
14 policy-making or that has discretionary authority over public
15 assets was convicted within the immediately preceding 20 years of a
16 felony involving dishonesty, deceit, fraud, or a breach of the
17 public trust and that was related to the individual's official
18 capacity while holding an elective office or position of employment
19 in local, state, or federal government, the public employer shall
20 investigate. If the conviction is confirmed, the public employer
21 shall not employ that individual in the position during the
22 prohibited time period.

23 Sec. 4. An individual who submits a false affidavit under this
24 act is guilty of perjury.

25 Enacting section 1. This act does not take effect unless
26 Senate Joint Resolution V of the 95th Legislature becomes a part of
27 the state constitution of 1963 as provided in section 1 of article

1 XII of the state constitution of 1963.