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House Bill 4458 (Substitute H-1 as passed by the House)

Sponsor: Representative Paul Muxlow

House Committee: Oversight, Reform, and Ethics

Senate Committee: Local Government and Elections

Date Completed: 9-20-11

CONTENT

The bill would amend Public Act 566 of 1978, which prohibits a public officer from holding incompatible offices, to provide that the ban would not prohibit a public officer or public employee of a city, village, township, or county with a population under 3,000 from serving as a fire chief in that local unit of government.

Under Section 2 of the Act, a public officer or employee may not hold two or more incompatible offices at the same time, subject to specific exceptions. ("Incompatible offices" means "public offices held by a public official which, when the official is performing the duties of any of the offices held by the official, results in any of the following with respect to those offices held:" the subordination of one public office to another, the supervision of one public office by another, or a breach of duty of public office.)

The bill provides that Section 2 would not prohibit a public officer or public employee of a city, village, township, or county with a population of less than 3,000 from serving, with or without compensation, as a fire chief in that local unit.

MCL 15.183

Legislative Analyst: Julie Cassidy

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.