

HOUSE BILL No. 5209

January 13, 2016, Introduced by Rep. Lucido and referred to the Committee on Government Operations.

A bill to amend 2012 PA 436, entitled
"Local financial stability and choice act,"
(MCL 141.1541 to 141.1575) by adding section 9a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9A. (1) AN EMERGENCY MANAGER APPOINTED BY THE GOVERNOR
2 UNDER SECTION 9 SHALL POST A SUITABLE BOND OF NOT LESS THAN
3 \$5,000,000.00, ISSUED BY A RESPONSIBLE BONDING ENTITY, FOR THE
4 FAITHFUL PERFORMANCE OF THE DUTIES OF THE OFFICE. AN EMERGENCY
5 MANAGER FORFEITS THE BOND IF HIS OR HER CONDUCT AS AN EMERGENCY
6 MANAGER AMOUNTS TO GROSS NEGLIGENCE OR IS WILLFUL AND WANTON
7 MISCONDUCT, AND THE EMERGENCY MANAGER IS RESPONSIBLE FOR ALL
8 DAMAGES, EXPENSES, AND COSTS ASSOCIATED WITH THAT GROSS NEGLIGENCE
9 OR WILLFUL AND WANTON MISCONDUCT.

10 (2) AN EMERGENCY MANAGER APPOINTED BY THE GOVERNOR UNDER
11 SECTION 9 IS NOT PROTECTED BY THE IMMUNITY CONFERRED BY 1964 PA

1 170, MCL 691.1401 TO 691.1419.

2 Enacting section 1. This amendatory act takes effect 90 days
3 after the date it is enacted into law.

4 Enacting section 2. This amendatory act does not take effect
5 unless Senate Bill No. ____ or House Bill No. 5210 (request no.
6 04537'15 a) of the 98th Legislature is enacted into law.