

**SUBSTITUTE FOR
HOUSE BILL NO. 4288**

A bill to prohibit certain hiring practices by state agencies and prescribe civil sanctions.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) Subject to section 1 of 1897 PA 205, MCL 35.401, a
2 state agency shall not hire an applicant for unclassified
3 employment unless the state agency bases the hiring on 1 or more
4 objective and merit-based factors that include, but are not limited
5 to, the applicant's relevant education or work experience.

6 (2) As used in this section:

7 (a) "State agency" means an agency, board, bureau, commission,
8 department, or office within a department or agency of the
9 executive branch of this state.

10 (b) "Unclassified employment" means employment that is in the

1 state service and excepted from the classified state civil service
2 under section 5 of article XI of the state constitution of 1963.

3 Sec. 2. A state agency that violates this act is responsible
4 for a civil fine of not more than \$10,000.00 for each violation.
5 The attorney general may bring an action to collect the fine. A
6 fine collected must be deposited in the general fund.