

HOUSE BILL No. 4026

January 13, 2011, Introduced by Reps. Agema, Yonker, Hooker, Damrow, MacMaster, Callton, Knollenberg, Johnson, Daley and LaFontaine and referred to the Committee on Commerce.

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1019 (MCL 339.1019), as amended by 1992 PA 253.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1019. A personnel agency, or any licensed agent or other
2 agent or employee of a personnel agency shall not do any of the
3 following:

4 (a) Use any name other than the name in which the personnel
5 agency is licensed.

6 (b) Bring or maintain an action in a court of this state for
7 the collection of compensation for the performance of an act or
8 contract for services as a personnel agency without alleging and
9 proving that the agency and its agent were licensed under this
10 article during the performance of the act or contract.

1 (c) Use a form ~~which~~ **THAT** contains provisions in violation of
2 this article, rules promulgated under this article, or other state
3 or federal laws or regulations.

4 (d) Share a fee with any other person, except a personnel
5 agency licensed in this state or in any other state requiring
6 licenses for personnel agencies or a personnel agency in a state in
7 which licensure is not required.

8 (e) Persuade, induce, or solicit an employer to discharge an
9 employee.

10 (f) Request or accept a registration fee or any other fee not
11 set forth in the agency's contract with a client or charge a fee
12 higher than the fee set forth in the contract.

13 (g) Request or accept, or give, offer, or promise to give, a
14 gift of such value that the gift is likely to persuade, induce, or
15 influence an action of an employer or benefit the personnel agency
16 or any of its agents or employees.

17 (h) Knowingly procure, entice, send, or aid in procuring,
18 enticing, or sending a person to perform an illegal act.

19 (i) Prevent an employee of the department from inspecting the
20 records of the agency at any time during normal business hours.

21 **(J) REFER AN INDIVIDUAL FOR EMPLOYMENT WITHOUT HAVING VERIFIED**
22 **THROUGH THE E-VERIFY SYSTEM OR A SUCCESSOR SYSTEM AUTHORIZED BY THE**
23 **UNITED STATES IMMIGRATION AND NATURALIZATION SERVICE THAT THE**
24 **INDIVIDUAL IS AUTHORIZED TO WORK IN THE UNITED STATES.**