

# SENATE BILL No. 15

January 19, 2011, Introduced by Senator JANSEN and referred to the Committee on Local Government and Elections.

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.