

Legislative Analysis



ABSTAINING FROM CONFLICT OF INTEREST VOTES

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4001 as introduced
Sponsor: Rep. Pamela Hornberger
Committee: Elections and Ethics
Complete to 4-20-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4001 would amend 1968 PA 318, also known as the conflict of interest act. Section 1 of that act states that it was enacted to implement section 10 of Article IV of the Michigan Constitution of 1963 and should be taken into consideration when determining the construction and effect of that section.

The relevant constitutional section reads: “No member of the legislature nor any state officer shall be invested directly or indirectly in any contract with the state or any political subdivision thereof which shall cause a substantial conflict of interest. The legislature shall further implement this provision by appropriate legislation.”

The bill would provide that a member of the legislature may not vote on a bill or alternative measure if the member has knowledge that he or she has a ***personal or professional interest*** in the bill or measure.

Personal or professional interest would mean an interest that would provide a substantial benefit particular to one or more of the following:

- The member of the legislature.
- An individual or entity to whom the member is financially or legally obligated.
- An individual or entity personally related to the member.

Proposed MCL 15.308a

FISCAL IMPACT:

A fiscal analysis is in progress.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.