

HOUSE BILL No. 4828

August 18, 2015, Introduced by Rep. Schor and referred to the Committee on Oversight and Ethics.

A bill to amend 1986 PA 268, entitled
"Legislative council act,"
(MCL 4.1101 to 4.1901) by adding section 801.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 801. (1) THE LEGISLATIVE ETHICS COMMITTEE IS ESTABLISHED
2 WITHIN THE LEGISLATURE AND SHALL CONSIST OF THE FOLLOWING MEMBERS:

3 (A) TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES APPOINTED BY
4 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

5 (B) TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES APPOINTED BY
6 THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

7 (C) TWO MEMBERS OF THE SENATE APPOINTED BY THE SENATE MAJORITY
8 LEADER.

9 (D) TWO MEMBERS OF THE SENATE APPOINTED BY THE SENATE MINORITY
10 LEADER.

11 (2) THE LEGISLATIVE ETHICS COMMITTEE MAY ESTABLISH, BY

1 MAJORITY VOTE, ITS RULES AND PROCEDURES.

2 (3) THE LEGISLATIVE ETHICS COMMITTEE SHALL DO ALL OF THE
3 FOLLOWING:

4 (A) RECEIVE COMPLAINTS CONCERNING ALLEGED UNETHICAL CONDUCT BY
5 A MEMBER, OFFICER, OR EMPLOYEE OF THE LEGISLATURE.

6 (B) INVESTIGATE THE ALLEGED UNETHICAL CONDUCT.

7 (C) MAKE RECOMMENDATIONS TO EACH HOUSE OF THE LEGISLATURE
8 REGARDING THE ALLEGED UNETHICAL CONDUCT.

9 (D) ISSUE A REPORT DETAILING ANY RECOMMENDATIONS UNDER
10 SUBDIVISION (C) AND FORWARD THAT REPORT TO EACH MEMBER OF THE
11 SENATE AND HOUSE OF REPRESENTATIVES.

12 (E) REPORT TO THE APPROPRIATE FEDERAL OR STATE AUTHORITIES,
13 WITH THE APPROVAL OF THE LEGISLATURE, ANY SUBSTANTIAL EVIDENCE OF A
14 VIOLATION BY A MEMBER, OFFICER, OR EMPLOYEE OF THE LEGISLATURE OF
15 ANY LAW APPLICABLE TO THE PERFORMANCE OF THAT INDIVIDUAL'S DUTIES
16 OR THE DISCHARGE OF HIS OR HER RESPONSIBILITIES THAT MAY HAVE BEEN
17 DISCLOSED IN A COMMITTEE INVESTIGATION.

18 (4) IN CONDUCTING AN INVESTIGATION UNDER SUBSECTION (3), THE
19 LEGISLATIVE ETHICS COMMITTEE MAY DO ANY OF THE FOLLOWING:

20 (A) ALLOW THE HOUSE OR SENATE BUSINESS OFFICE TO CONDUCT THE
21 INVESTIGATION.

22 (B) RETAIN AN OUTSIDE ENTITY TO CONDUCT THE INVESTIGATION.

23 (C) REFER THE MATTER TO THE ATTORNEY GENERAL OR A LAW
24 ENFORCEMENT AGENCY TO INVESTIGATE THE ALLEGED UNETHICAL CONDUCT.

25 (5) THE LEGISLATIVE ETHICS COMMITTEE SHALL NOT ADOPT A
26 RESOLUTION, REPORT, RECOMMENDATION, OR ADVISORY OPINION RELATING TO
27 THE OFFICIAL CONDUCT OF A MEMBER, OFFICER, OR EMPLOYEE OF THE

1 LEGISLATURE, OR INVESTIGATE ANY CONDUCT OF A MEMBER, OFFICER, OR
2 EMPLOYEE OF THE LEGISLATURE, UNLESS APPROVED BY THE AFFIRMATIVE
3 VOTE OF NOT LESS THAN A MAJORITY OF THE MEMBERS APPOINTED TO AND
4 SERVING ON THE COMMITTEE.