

Legislative Analysis



GUBERNATORIAL MEMORANDA OF UNDERSTANDING

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Senate Bill 822 (S-2) as passed by the Senate

Sponsor: Sen. Mike Shirkey

House Committee: Oversight

Senate Committee: Elections and Government Reform

Complete to 12-10-18

Analysis available at

<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 822 would create a new act concerning the effectiveness of, and filing requirements for, a memorandum of understanding signed by the governor.

Under the bill, if a *memorandum of understanding* (MOU) signed by a governor would, according to its provisions, apply after the date that governor leaves office, the MOU would stay in effect during successive administrations until either a successive governor rejected it or it expired on its own.

Memorandum of understanding would mean an informal agreement between this state and another party that does not impose contractual duties or obligations on the state.

The bill would require a copy of an MOU “signed by the governor under this act” [Note: the bill contains no provisions concerning the signing of an MOU] to be filed in the Office of the Great Seal and made available to the public. Copies of each MOU would have to be posted on the Department of State internet website, and the Department of State would have to file a copy with each house of the legislature and with the Senate Majority Leader, the Senate Minority Leader, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives.

FISCAL IMPACT:

The bill would have no fiscal impact on state or local units of government.

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