

SENATE BILL No. 761

January 23, 2018, Introduced by Senators CONYERS, HOPGOOD, KNEZEK, ANANICH, JONES, BIEDA and GREGORY and referred to the Committee on Elections and Government Reform.

A bill to create a commission on unsolved civil rights crimes and cold cases; to prescribe its powers and duties; and to prescribe the powers and duties of certain agencies, departments, and officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Civil rights crime" means a criminal violation committed
3 against a resident of this state to prevent that resident's
4 political or social freedom or equality.

5 (b) "Cold case" means the investigation of an unsolved
6 criminal violation that remains open pending the discovery of new
7 evidence.

8 (c) "Commission" means the commission on unsolved civil rights

1 crimes and cold cases created in section 3.

2 Sec. 3. (1) A commission on unsolved civil rights crimes and
3 cold cases is created in the department of civil rights to study
4 issues relating to the investigation and prosecution of unsolved
5 civil rights crimes and cold cases from the civil rights era.

6 (2) The commission consists of the following members:

7 (a) The lieutenant governor as an ex officio, nonvoting
8 member.

9 (b) An individual appointed by the governor.

10 (c) An individual appointed by the senate majority leader.

11 (d) An individual appointed by the senate minority leader.

12 (e) An individual appointed by the speaker of the house of
13 representatives.

14 (f) An individual appointed by the minority leader of the
15 house of representatives.

16 (g) Four individuals from public universities in this state
17 appointed by the governor.

18 (3) The members first appointed to the commission shall be
19 appointed within 60 days after the effective date of this act.

20 (4) Members of the commission shall serve for terms of 4 years
21 or until a successor is appointed, whichever is later, except that
22 of the members first appointed 3 shall serve for 1 year, 3 shall
23 serve for 2 years, and 3 shall serve for 3 years.

24 (5) A vacancy on the commission shall be filled for the
25 unexpired term in the same manner as the original appointment.

26 (6) The governor may remove a member of the commission for
27 incompetence, dereliction of duty, malfeasance, misfeasance, or

1 nonfeasance in office, or any other good cause.

2 (7) The first meeting of the commission shall be called by the
3 lieutenant governor. At the first meeting, the commission shall
4 elect from among its members a chairperson and other officers as it
5 considers necessary or appropriate. After the first meeting, the
6 commission shall meet at least quarterly, or more frequently at the
7 call of the chairperson or if requested by 6 or more voting
8 members.

9 (8) A majority of the members of the committee constitute a
10 quorum for the transaction of business at a meeting of the
11 committee. A majority of the members present and serving are
12 required for official action of the committee.

13 (9) The business that the committee may perform shall be
14 conducted at a public meeting of the committee held in compliance
15 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

16 (10) A writing prepared, owned, used, in the possession of, or
17 retained by the committee in the performance of an official
18 function is subject to the freedom of information act, 1976 PA 442,
19 MCL 15.231 to 15.246.

20 (11) Members of the commission shall serve without
21 compensation. However, members of the commission may be reimbursed
22 for their actual and necessary expenses incurred in the performance
23 of their official duties as members of the commission.

24 (12) The commission shall submit an annual report to the
25 legislature of its findings and recommendations, including any
26 proposed legislation or other appropriate means to ensure the
27 investigation and prosecution of civil rights crimes and cold cases

1 from the civil rights era.

2 Enacting section 1. This act takes effect 90 days after the

3 date it is enacted into law.