

Legislative Analysis



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Senate Joint Resolution G as passed by the Senate

Sponsor: Sen. Tom Barrett

House Committee: Oversight

Senate Committee: Oversight

Complete to 6-2-21

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

SUMMARY:

Senate Joint Resolution G would add section 9 to Article 11 (Public Officers and Employment) of the state constitution to provide that, notwithstanding any other provision of the constitution and except as described below, a department or agency of the state could not take disciplinary action against an employee of the department or agency who is in the state classified civil service because the employee communicated with a member of the Senate or House of Representatives or the staff of a Senate or House member.

Additionally, a member or office of the Senate or House of Representatives could not take disciplinary action against a nonpartisan employee of the Senate or House of Representatives because the employee communicated with a member of the Senate or House of Representatives or the member's staff.

The proposed prohibitions would not apply under either of the following circumstances:

- The communication was prohibited by law and the person or entity taking disciplinary action was exercising its authority as provided by law.
- The employee knowingly made a false statement in his or her communication.

To become part of the constitution, a joint resolution must be adopted by a two-thirds vote in each house of the legislature and approved by the voters at the next general election. A general election is an election held in November of an even-numbered year.

BACKGROUND:

Senate Resolution G is similar to Senate Bill 686 of the 2019-20 legislative session, which was passed by both chambers and enrolled, but vetoed by the governor.¹

FISCAL IMPACT:

Senate Joint Resolution G would have no fiscal impact on the state or local units of government.

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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.

¹ <http://www.legislature.mi.gov/documents/2019-2020/billanalysis/House/pdf/2019-HLA-0686-4B31D9F4.pdf>