

SENATE JOINT RESOLUTION G

March 23, 2021, Introduced by Senators BARRETT, THEIS, MCBROOM, RUNESTAD, MACDONALD, LAUWERS, BUMSTEAD, STAMAS, DALEY, JOHNSON, BIZON, OUTMAN, ZORN, HORN, VANDERWALL, LASATA, VICTORY, NESBITT, SHIRKEY, SCHMIDT, MOSS and HOLLIER and referred to the Committee on Oversight.

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 9 to article XI, to protect certain communications with members of the legislature.

Resolved by the Senate and House of Representatives of the state of Michigan, that the following amendment to the state constitution of 1963, to protect certain communications with members of the legislature, is proposed, agreed to, and submitted

to the people of the state:

ARTICLE XI

Sec. 9. (1) Notwithstanding any other provision of this constitution, and except as provided in subsection (3), a department or agency of this state shall not take disciplinary action against an employee of the department or agency who is in the classified state civil service because the employee communicates with a member of the senate or house of representatives or a member's staff.

(2) Notwithstanding any other provision of this constitution, and except as provided in subsection (3), a member or office of the senate or house of representatives shall not take disciplinary action against a nonpartisan employee of the senate or house of representatives because the employee communicates with a member of the senate or house of representatives or a member's staff.

(3) Subsections (1) and (2) do not apply if either of the following conditions is met:

(a) The communication is prohibited by law and the department or agency or the member or office of the senate or house of representatives taking the disciplinary action is exercising its authority as provided by law.

(b) The employee knowingly makes a false statement in his or her communication.

Resolved further, That the foregoing amendment shall be submitted to the people of the state at the next general election in the manner provided by law.