

**SUBSTITUTE FOR
SENATE BILL NO. 840**

A bill to declare the powers and duties of the Black leadership advisory council; and to prescribe the powers and duties of certain state governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "Black leadership
2 advisory council act".

3 Sec. 3. As used in this act:

4 (a) "Council" means the Black leadership advisory council
5 created in Executive Order No. 2020-163.

6 (b) "Department" means the department of labor and economic
7 opportunity.

8 (c) "Director" means the director of the department.

9 Sec. 5. (1) Except as otherwise provided in this subsection,



1 the council consists of the following voting members:

2 (a) The director or the director's designee in the department.

3 (b) Subject to subsections (2) and (3), 15 members appointed
4 by the governor.

5 (2) Every member appointed to the council under subsection (1)
6 must represent Black leadership in fields such as economics, law,
7 public policy, education, health and wellness, the environment and
8 environmental justice, technology, agriculture, community safety
9 and preparedness, arts and culture, and media and communications.

10 (3) In addition to the requirement under subsection (2), at
11 least 1 member appointed to the council under subsection (1) must
12 be an immigrant or an individual with expertise in immigration
13 policy, and at least 1 member appointed to the council under
14 subsection (1) must be an individual between 18 and 35 years of
15 age.

16 (4) After the first appointments under Executive Order No.
17 2020-163, the term of a member of the council is 3 years or until a
18 successor is appointed in accordance with this section, whichever
19 is later.

20 (5) If a vacancy occurs on the council, the governor shall
21 appoint an individual to fill the vacancy for the balance of the
22 term in accordance with this section.

23 (6) The governor may remove a member of the council for
24 incompetence, dereliction of duty, malfeasance, misfeasance, or
25 nonfeasance in office, or any other good cause.

26 Sec. 7. (1) The governor shall designate a chairperson of the
27 council.

28 (2) The council may elect a vice chairperson from its members
29 and must adopt procedures for the council's operation.



1 (3) The council shall meet at the call of the chairperson and
2 at other times established by the procedures under subsection (2).

3 (4) A majority of the members of the council constitutes a
4 quorum for transacting business. A vote in favor by the majority of
5 the voting members of the council serving is required for any
6 action of the council.

7 (5) A writing that is prepared, owned, used, possessed, or
8 retained by the council in performing an official function is
9 subject to the freedom of information act, 1976 PA 442, MCL 15.231
10 to 15.246.

11 (6) A member of the council is not entitled to compensation
12 for service on the council, but the council may reimburse a member
13 for actual and necessary expenses incurred in serving.

14 (7) A member of the council shall refer any legal,
15 legislative, and media contacts to the department.

16 Sec. 9. (1) The council shall do all of the following:

17 (a) Develop, review, and recommend to the governor policies
18 and actions designed to eradicate and prevent discrimination and
19 racial inequity in this state, including in the areas of health
20 care, housing, education, employment, economic opportunity, public
21 accommodations, and procurement.

22 (b) Identify state laws, or gaps in state law, that create or
23 perpetuate inequities, with the goal of promoting economic growth
24 and wealth equity for the Black community.

25 (c) Collaborate with the governor's office and the Black
26 community to promote legislation and regulations that ensure
27 equitable treatment of all individuals in this state and seeks to
28 remedy structural inequalities in this state.

29 (d) Serve as a resource for community groups on issues,



1 programs, sources of funding, and compliance requirements in state
2 government to benefit and advance the interests of the Black
3 community.

4 (e) Promote the cultural arts in the Black community through
5 coordinated efforts, advocacy, and collaboration with state
6 government.

7 (f) Provide other information or advice or take other actions
8 as requested by the governor.

9 (g) Submit an annual report to the governor on the council's
10 activities and recommendations.

11 (2) The council may do any of the following:

12 (a) As necessary, establish advisory workgroups composed of
13 individuals or entities that participate in council activities or
14 other members of the public to assist the council in performing its
15 duties.

16 (b) Adopt, reject, or modify a recommendation of an advisory
17 workgroup described in subdivision (a).

18 (c) As appropriate, make inquiries, studies, and
19 investigations, hold hearings, and receive comments from the
20 public.

21 (d) Consult with outside experts to perform its duties,
22 including experts in the private sector, organized labor,
23 government agencies, and institutions of higher education.

24 (e) As the director deems advisable and necessary, and subject
25 to appropriation, do either of the following:

26 (i) Make and enter into contracts necessary or incidental to
27 the exercise of the powers of the council.

28 (ii) Hire and retain contractors, subcontractors, advisors,
29 consultants, and agents.



1 (f) As appropriate, accept donations of labor, services, or
2 anything else of value from any public or private agency or person,
3 which must be received and used in accordance with applicable law.

4 (3) Subject to subsection (4), the department shall provide
5 staff to enable the council to carry out its powers and duties
6 under this section.

7 (4) The council shall exercise its powers and duties
8 independently of the department except for budget, procurement, and
9 management functions, which must be performed under the direction
10 and supervision of the director.

