

State Proposal 22-1

FULL TEXT OF PROPOSED INITIATED LAW:

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 10 and 54 of article IV, to require certain disclosures and to modify limitations on terms of office of state legislators.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to require certain disclosures and to modify limitations on terms of office of state legislators, is proposed, agreed to, and submitted to the people of the state:

ARTICLE IV

Sec. 10. (1) No member of the legislature nor any state officer shall be interested directly or indirectly in any contract with the state or any political subdivision thereof which shall cause a substantial conflict of interest.

(2) By April 15, 2024, and by a date each year thereafter as prescribed by state law, each member of the legislature, the governor, the lieutenant governor, the secretary of state, and the attorney general shall electronically file an annual financial disclosure report with the department of state that complies with this section. A report required to be filed under this section must include information regarding all of the following:

1. Description of assets and sources of unearned income.
2. Sources of earned income.
3. Description of liabilities.
4. Positions currently held as an officer, director, trustee, partner, proprietor, representative, employee, or consultant of any organization, corporation, firm, partnership, or other business enterprise, nonprofit organization, labor organization, or educational or other institution other than the state of Michigan. The positions required to be disclosed under this subdivision do not include positions held in any religious, social, fraternal, or political entity, or positions that are solely of an honorary nature.
5. Agreements or arrangements with respect to future employment, a leave of absence while serving as a legislator or state officer, continuation or deferral of payments by a former or current employer other than the state of Michigan, or continuing participation in an employee welfare or benefit plan maintained by a former employer.
6. Gifts received and required to be reported by a lobbyist or lobbyist agent, as prescribed by state law.
7. Travel payments and reimbursements received and required to be reported by a lobbyist or lobbyist agent, as prescribed by state law.
8. Payments made by a lobbyist or lobbyist agent to a charity in lieu of honoraria.

(3) The financial disclosure report required under subsection (2) must be filed with the department of state in a form and manner prescribed by state law. The department of state shall make the report available to the public online.

(4) The legislature shall further implement this section by appropriate legislation. Legislation implementing this section must not limit or restrict the application of subsections (2) and (3).

(5) If legislation implementing this section is not enacted by December 31, 2023, a resident of this state may initiate a legal action against the legislature and the governor in the Michigan supreme court to enforce the requirements of this section.

Sec. 54. (1) A person may not be elected to the office of state representative or state senator for terms or partial terms that combined total more than 12 years. However, this limitation does not prohibit a person

elected to the office of state senator in 2022 from being elected to that office for the number of times permitted at the time the person became a candidate for that office.

(2) This section is self-executing. Legislation may be enacted to facilitate operation of this section, but a law must not limit or restrict the application of this section.

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.

Resolved further, That it is the intent of the legislature that when submitted to the people of the state the amendment be presented with the following question:

A PROPOSAL TO AMEND THE STATE CONSTITUTION TO REQUIRE ANNUAL PUBLIC FINANCIAL DISCLOSURE REPORTS BY LEGISLATORS AND OTHER STATE OFFICERS AND LIMIT SERVICE AS A LEGISLATOR TO 12 YEARS

This proposed constitutional amendment would:

- Require members of the legislature, the governor, the lieutenant governor, the secretary of state, and the attorney general to file annual public financial disclosure reports after 2023, reporting assets, liabilities, income, positions held, future employment agreements, gifts, travel reimbursements, and other payments.
- Require the legislature to implement but not limit or restrict the reporting requirements.
- Reduce current term limits for state representatives and state senators to a 12-year total limit in any combination between the house of representatives and the senate, with the exception that a person elected to the senate in 2022 may be elected the number of times allowed when that person became a candidate.

Should this proposal be adopted?

YES

NO