

SENATE JOINT RESOLUTION A

January 17, 2023, Introduced by Senators THEIS, BELLINO, VICTORY, MCBROOM, WEBBER, LAUWERS, HOITENGA and NESBITT and referred to the Committee on Labor.

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:

1 ARTICLE XI

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

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

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

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

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

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