

SUBSTITUTE FOR  
HOUSE BILL NO. 5783

A bill to amend 1984 PA 431, entitled  
"The management and budget act,"  
by amending section 264 (MCL 18.1264), as added by 1988 PA 504, and  
by adding section 264a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 264. The department may debar a vendor from participation  
2 in the bid process and from contract award upon notice and a  
3 finding that the vendor is not able to perform responsibly; ~~or~~  
4 that the vendor, or an officer or an owner of a 25% or greater  
5 share of the vendor, has demonstrated a lack of integrity that  
6 could jeopardize the state's interest if the state were to contract  
7 with the vendor; **THAT THE DEPARTMENT RECEIVES NOTICE THAT A FEDERAL**  
8 **AGENCY HAS FOUND THE VENDOR TO HAVE VIOLATED 8 USC 1324A(A) IN AN**  
9 **ACTION UNDER 8 USC 1324A(E) AS TO EMPLOYEES PERFORMING WORK UNDER**

House Bill No. 5783 (H-1) as amended April 9, 2008

1 THE CONTRACT; OR THAT THE VENDOR HAS VIOLATED THE PROVISIONS OF  
2 1965 PA 166, MCL 408.551 TO 408.558, IF APPLICABLE, IN THE  
3 PERFORMANCE OF A STATE CONTRACT.

4 SEC. 264A. THE DEPARTMENT SHALL INCLUDE A CLAUSE REQUIRING THE  
5 CONTRACTOR TO ALLOW ONLY INDIVIDUALS WHO ARE AUTHORIZED TO WORK IN  
6 THE UNITED STATES TO PERFORM SERVICES UNDER THE CONTRACT AND A  
7 CLAUSE STATING THAT THE CONTRACTOR SHALL NOT VIOLATE THE PROVISIONS  
8 OF 1965 PA 166, MCL 408.551 TO 408.558, IF APPLICABLE, IN EACH  
9 CONTRACT IT ENTERS INTO THAT INCLUDES SERVICES. THE CONTRACT SHALL  
10 PROVIDE ALL OF THE FOLLOWING AS REMEDIES IF A CONTRACTOR OR A  
11 SUBCONTRACTOR OF THE CONTRACTOR KNOWINGLY PERMITS A PERSON WHO IS  
12 NOT AUTHORIZED TO WORK IN THE UNITED STATES TO PERFORM SERVICES  
13 UNDER THE CONTRACT [.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

]