

House Bill 5108
Sponsor: Rep. Ruth Johnson
Committee: Education

Complete to 2-3-04

A SUMMARY OF HOUSE BILL 5108 AS INTRODUCED 10-1-03

House Bill 5108 would amend the Revised School Code to require that intermediate school district employees, administrators, and board members report any conflicts of interest.

Under the bill, an officer or employee of an intermediate school district (ISD) who had a conflict of interest, or knew or had reason to believe that another officer or employee had a conflict of interest, would be required to promptly report that conflict to the ISD board. The bill specifies that the report include the name of the officer or employee, and the basis for the belief that there was a conflict of interest.

After receiving the report, an ISD board would be required to promptly do all of the following: a) make a determination of whether or not an actual conflict of interest did exist; and, b) if it were determined that it did, then take all action required by law applicable to the conflict of interest, and any other actions it considered appropriate regarding the conflict.

The bill would define "conflict of interest" to mean a situation in which the private interest of an officer or employee may influence the judgment of the officer or employee in the performance of his or her public duty. A conflict of interest includes, but is not limited to the following:

- acceptance of any form of compensation other than from the ISD for any service rendered as part of the official duties of the officer or employee for the ISD;
- participating in any business being transacted with or before the ISD board in which the officer or employee or his or her parent, spouse, or child has a financial interest;
- use of the position, title, or any related authority of the officer or employee in a manner designed or personal gain or benefit; and,
- demonstration, through work or other action in the performance of the official duties of the officer or employee, of any preferential attitude or treatment of any person in transacting business with the ISD.

MCL 380.634

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