

SENATE BILL NO. 527

September 26, 2023, Introduced by Senators LINDSEY, BELLINO, DALEY, MCBROOM, HAUCK and RUNESTAD and referred to the Committee on Appropriations.

A bill to prohibit the use of state funds, personnel, facilities, or other state resources to implement the provisions of an unratified treaty; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "unratified treaties
2 implementation prohibition act".

3 Sec. 2. As used in this act:

4 (a) "Person" means an individual or a partnership,
5 corporation, limited liability company, association, governmental
6 entity, or other legal entity.

1 (b) "Unratified treaty" means a treaty or other international
2 agreement that has not been approved by a 2/3 vote of the United
3 States Senate and ratified by the President of the United States,
4 under section 2 of article II of the Constitution of the United
5 States.

6 Sec. 3. A person shall not use state funds, personnel,
7 facilities, or other state resources to implement the provisions of
8 an unratified treaty.

9 Sec. 4. (1) A violation of section 3 raises a cause of action
10 in state court for injunctive and declaratory relief, plus
11 compensatory damages of up to \$10,000.00 per violation, and
12 attorney fees.

13 (2) A state department or agency or a political subdivision of
14 this state that publishes a rule, regulation, or guidance
15 recommending or requiring compliance with a provision of an
16 unratified treaty bears the burden of proof to show that the rule,
17 regulation, or guidance was developed independent of influence by a
18 person proposing the unratified treaty and independent of influence
19 from any international entity and that the unratified treaty was
20 not a factor in determining whether to publish the rule,
21 regulation, or guidance.