

HOUSE BILL No. 4558

March 13, 1991, Introduced by Rep. Ciaramitaro and referred to the Committee on Elections.

A bill to amend Act No. 116 of the Public Acts of 1954, entitled

"Michigan election law,"

as amended, being sections 168.1 to 168.992 of the Michigan Compiled Laws, by adding section 931a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 116 of the Public Acts of 1954, as
2 amended, being sections 168.1 to 168.992 of the Michigan Compiled
3 Laws, is amended by adding section 931a to read as follows:

4 SEC. 931A. (1) AS USED IN THIS SECTION:

5 (A) "EMPLOYEE" MEANS AN INDIVIDUAL WHO WORKS FOR AN EMPLOYER
6 IN EXCHANGE FOR WAGES OR OTHER REMUNERATION.

7 (B) "EMPLOYER" MEANS AN INDIVIDUAL, SOLE PROPRIETORSHIP,
8 PARTNERSHIP, CORPORATION, ASSOCIATION, STATE OR LOCAL UNIT OF
9 GOVERNMENT, OR OTHER LEGAL ENTITY WITH 1 OR MORE EMPLOYEES.

1 (2) AN EMPLOYER SHALL RELEASE AN EMPLOYEE FROM WORK FOR A
2 REASONABLE AMOUNT OF TIME, WITH OR WITHOUT PAYMENT OF COMPENSA-
3 TION, TO ALLOW THE EMPLOYEE TO VOTE IN A LOCAL, STATE, OR
4 NATIONAL PUBLIC ELECTION, IF EITHER OF THE FOLLOWING CIRCUM-
5 STANCES EXISTS:

6 (A) IF ALL OF THE FOLLOWING CIRCUMSTANCES EXIST:

7 (i) THE EMPLOYEE IS QUALIFIED TO VOTE IN THE LOCAL, STATE,
8 OR NATIONAL PUBLIC ELECTION.

9 (ii) THE EMPLOYEE WOULD NOT OTHERWISE HAVE A REASONABLE
10 OPPORTUNITY TO VOTE IN THE LOCAL, STATE, OR NATIONAL PUBLIC
11 ELECTION.

12 (iii) THE EMPLOYER REQUIRES THE EMPLOYEE TO BE AT THE JOB
13 SITE, IN TRANSIT TO OR FROM THE JOB SITE, OR OTHERWISE ON DUTY
14 DURING THE ENTIRE TIME THE POLLS ARE OPEN.

15 (iv) THE EMPLOYEE PROVIDED THE EMPLOYER WITH AT LEAST 24
16 HOURS' NOTICE THAT HE OR SHE INTENDED TO TAKE TIME OFF FROM WORK
17 TO VOTE IN THE LOCAL, STATE, OR NATIONAL PUBLIC ELECTION.

18 (B) IF ALL OF THE FOLLOWING CIRCUMSTANCES EXIST:

19 (i) ALL OF THE CIRCUMSTANCES IN SUBSECTION (2)(A)(i), (ii),
20 AND (iii).

21 (ii) THE EMPLOYEE WAS PROVIDED WITH LESS THAN 36 HOURS'
22 NOTICE THAT JOB REQUIREMENTS WOULD PREVENT HIM OR HER FROM VOTING
23 IN PERSON IN THE LOCAL, STATE, OR NATIONAL PUBLIC ELECTION.

24 (iii) THE EMPLOYEE'S ABSENCE FROM WORK WOULD NOT ENDANGER
25 THE HEALTH OR SAFETY OF OTHER INDIVIDUALS.

26 (3) AN EMPLOYER WHO VIOLATES THIS SECTION IS SUBJECT TO A
27 CIVIL PENALTY OF NOT MORE THAN \$500.00 FOR EACH VIOLATION.

1 (4) THE ATTORNEY GENERAL, OR THE PROSECUTING ATTORNEY OF THE
2 COUNTY IN WHICH THE EMPLOYER IS LOCATED, MAY ENFORCE THIS
3 SECTION.

4 (5) AN EMPLOYEE RELEASED FROM WORK PURSUANT TO THIS SECTION
5 WITH PAY SHALL NOT USE THE TIME TO ENGAGE IN ANY POLITICAL ACTIV-
6 ITY OTHER THAN VOTING.