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BILL ANALYSIS

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House Bill 4117 (Substitute H-1 as passed by the House)
Sponsor: Representative John Proos IV
House Committee: Local Government and Urban Policy
Senate Committee: Local, Urban and State Affairs

Date Completed: 3-24-05

CONTENT

The bill would amend Public Act 133 of 1955 (which requires employers to grant leave for an employee's active military service) to allow local governmental units to provide differential pay for their employees who entered into active uniformed service.

Specifically, a local unit of government could provide by ordinance or resolution or through personnel policy a differential pay program or for a specific number of paid days of leave for employees of the local unit of government who requested or were required to take a leave of absence to enter into active service in a uniformed service.

"Differential pay program" would mean a program through which the local unit of government agreed to pay during the leave of absence all or part of the difference between the amount the employee was paid by the local unit of government and the amount the employee received through his or her uniformed service, if the amount paid by the local unit exceeded the amount paid by the uniformed service.

"Local unit of government" would mean a city, village, township, or county.

Public Act 133 of 1955 defines "uniformed service" as the armed forces, the reserve component, the National Guard in active service or active state service, the commissioned corps of the Public Health Service, and any other category of persons designated by the president or governor in time of war or national emergency.

The Act defines "active service" as service, including active state service or special duty required by law, regulation, or pursuant to an order of the governor. Active service also includes continuing service of an active member of the National Guard and the defense force in fulfilling that active member's commission, appointment, or enlistment. "Service" means active service, active state service, or in the service of the United States.

Proposed MCL 32.273a

Legislative Analyst: J.P. Finet

FISCAL IMPACT

The bill would have no fiscal impact on the State. The bill would not affect local unit revenue, but could have an impact on expenditures in units that used the bill's provisions.

Fiscal Analyst: David Zin

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.