

HOUSE BILL No. 5034

June 30, 2005, Introduced by Reps. Lemmons, III, Lemmons, Jr., Waters, Williams, Virgil Smith and Cushingberry and referred to the Committee on Government Operations.

A bill to amend 1999 PA 212, entitled

"An act to restrict certain governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion,"

by amending section 2 (MCL 15.602).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) Except as provided in ~~subsection (2)~~ **THIS**
2 **SECTION**, a public employer shall not require, by collective
3 bargaining agreement or otherwise, that a person reside within a
4 specified geographic area or within a specified distance or travel
5 time from his or her place of employment as a condition of
6 employment or promotion by the public employer.

7 (2) Subsection (1) does not prohibit a public employer from

1 requiring, by collective bargaining agreement or otherwise, that a
2 person reside within a specified distance from the nearest boundary
3 of the public employer. However, the specified distance shall be 20
4 miles or another specified distance greater than 20 miles.

5 (3) A requirement described in subsection (2) does not apply
6 to a person if the person is married and both of the following
7 conditions are met:

8 (a) The person's spouse is employed by another public
9 employer.

10 (b) The person's spouse is subject to a condition of
11 employment or promotion that, if not for this section, would
12 require him or her to reside a distance of less than 20 miles from
13 the nearest boundary of the public employer.

14 (4) Subsection (1) does not apply if the person is a volunteer
15 or paid on-call firefighter, an elected official, or an unpaid
16 appointed official.

17 **(5) SUBSECTION (1) DOES NOT PROHIBIT A PUBLIC EMPLOYER FROM**
18 **PROVIDING SUPPLEMENTAL PAY, BY COLLECTIVE BARGAINING OR OTHERWISE,**
19 **TO EMPLOYEES WHO LIVE WITHIN THE BOUNDARIES OF THE EMPLOYING**
20 **GOVERNMENTAL UNIT.**