

SENATE BILL NO. 1173

December 03, 2024, Introduced by Senators MOSS and MCCANN and referred to the Committee on Labor.

A bill to amend 2015 PA 105, entitled
"Local government labor regulatory limitation act,"
by amending sections 5, 9, and 15 (MCL 123.1385, 123.1389, and
123.1395); and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. **(1)** ~~A-Subject to subsection (2), a~~ local governmental
2 body shall not adopt, enforce, or administer an ordinance, local
3 policy, or local resolution ~~requiring~~ **that requires** an employer to
4 pay to an employee a wage higher than the state minimum hourly wage
5 rate determined under section 4 of the ~~workforce opportunity wage~~

1 ~~act, 2014 PA 138, MCL 408.414, improved workforce opportunity wage~~
2 **act, 2018 PA 337, MCL 408.934**, or, if applicable to the employer,
3 the minimum wage provisions of the fair labor standards act of
4 1938, 29 USC 201 to 219, unless those federal minimum wage
5 provisions would result in a lower minimum hourly wage than
6 provided under state law.

7 (2) Subsection (1) does not apply to an ordinance, local
8 policy, or local resolution if the ordinance, local policy, or
9 local resolution is adopted on or after the effective date of the
10 amendatory act that added this subsection and requires either of
11 the following:

12 (a) An employer, or a contractor or subcontractor of the
13 employer, to pay an employee a higher wage as a prevailing wage or
14 in accordance with a project labor agreement.

15 (b) An employer, or a contractor or subcontractor of the
16 employer, to pay an employee a higher wage if any of the following
17 conditions apply:

18 (i) The employer receives funding or an incentive from either
19 of the following:

20 (A) The local governmental body.

21 (B) Another local governmental body that is located within the
22 jurisdiction of the local governmental body.

23 (ii) The employer is a party to a contract with either of the
24 following:

25 (A) The local governmental body.

26 (B) Another local governmental body that is located within the
27 jurisdiction of the local governmental body.

28 (iii) The employer performs work on a project and the project is
29 funded in whole or in part with revenue from a bond issued by

1 **either of the following:**

2 **(A) The local governmental body.**

3 **(B) Another local governmental body that is located within the**
 4 **jurisdiction of the local governmental body.**

5 Sec. 9. A local governmental body shall not adopt, enforce, or
 6 administer an ordinance, local policy, or local resolution
 7 ~~regulating that~~ **regulates** hours and scheduling that an employer is
 8 required to provide to ~~employees.~~ **an employee.** This section does
 9 not prohibit an ordinance, local policy, or local resolution that
 10 limits **either of the following:**

11 **(a) The hours a business may operate.**

12 **(b) The hours and scheduling of an employee who works on a**
 13 **project to which a project labor agreement applies.**

14 Sec. 15. ~~Subject to sections 5 to 8 and 11, this~~ **This** act does
 15 not prohibit a local governmental body from adopting, enforcing, or
 16 administering an ordinance, local policy, or local resolution that
 17 provides for the terms and conditions of a voluntary agreement
 18 between an employer and the local governmental body in connection
 19 with the provision of services directly to the local governmental
 20 body or in connection with the receipt of a grant, tax abatement,
 21 or tax credit from the local governmental body.

22 Enacting section 1. Sections 6, 7, 10, 11, and 12 of the local
 23 government labor regulatory limitation act, 2015 PA 105, MCL
 24 123.1386, 123.1387, 123.1390, 123.1391, and 123.1392, are repealed.