

# HOUSE BILL NO. 4625

June 10, 2025, Introduced by Reps. Tsernoglou, Pohutsky, Rogers, Rheingans, McFall, Hoskins, Dievendorf, Wooden, Byrnes, Price, Coffia, Skaggs, Weiss, Brixie, Glanville, Conlin, Mentzer, Longjohn, MacDonell, Morgan, Wilson, Wegela, Hope and Scott and referred to Committee on Government Operations.

A bill to amend 1969 PA 317, entitled  
"Worker's disability compensation act of 1969,"  
by amending sections 118, 335, and 353 (MCL 418.118, 418.335, and  
418.353), section 335 as amended by 1994 PA 271 and section 353 as  
amended by 2011 PA 266.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 118. (1) ~~No~~**A** household domestic servant ~~shall be~~**is not**  
2       considered an employee if the ~~person~~**household domestic servant** is  
3       a ~~wife,~~**spouse**, child, or other member of the employer's family

1 residing in the home, and ~~no-a~~ householder ~~shall be deemed~~ **is not**  
 2 **considered** a statutory principal within the meaning of section 171  
 3 for the purposes of this section.

4 (2) ~~No-A~~ private employer ~~shall be~~ **is not** liable under this  
 5 act to any ~~person-individual~~ who is employed by ~~him-the~~ **private**  
 6 **employer** as a household domestic servant for less than 35 hours per  
 7 week for 13 weeks or longer during the preceding 52 weeks,  
 8 notwithstanding ~~the provisions of~~ section 611 or any other  
 9 provision of this act, unless ~~such person assume~~ **the private**  
 10 **employer assumes** liability under section 121.

11 (3) ~~A-As~~ **used in this act**, "household domestic servant" or  
 12 "domestic" ~~as used in this act means a person-an~~ **individual** who  
 13 engages in work or activity relating to the operation of a  
 14 household and its surroundings whether or not ~~he-the~~ **individual**  
 15 resides ~~therein-in~~ **the household or its surroundings**.

16 Sec. 335. (1) Upon the remarriage of a dependent ~~wife-spouse~~  
 17 receiving compensation, ~~such-compensation~~ payments ~~shall~~ cease upon  
 18 the payment to ~~her-the~~ **spouse** of the balance of the compensation to  
 19 which ~~she-the~~ **spouse** would otherwise have been entitled but not to  
 20 exceed the sum of \$500.00, and further compensation, if any, ~~shall~~  
 21 ~~be-is~~ payable to the ~~person-individual~~ either wholly or partially  
 22 dependent ~~upon-on~~ **the** deceased for support at ~~his-the~~ **time of the**  
 23 **decedent's** death as provided in section ~~331(b)-331~~. A worker's  
 24 compensation magistrate shall determine the amount of compensation  
 25 or portion ~~thereof-of~~ **compensation** that ~~shall be-is~~ payable weekly  
 26 to ~~such-the~~ wholly or partially dependent ~~person-individual~~ for the  
 27 remaining weeks of compensation. ~~Where-If~~, at the expiration of  
 28 the 500-week period, ~~any-such-the~~ wholly or partially dependent  
 29 ~~person-individual~~ is ~~less-younger~~ than 18 years of age, a worker's

1 compensation magistrate may order the employer to continue to pay  
 2 the weekly compensation, or some portion thereof, ~~of the weekly~~  
 3 **compensation**, until ~~such-the~~ wholly or partially dependent ~~person~~  
 4 **individual** reaches ~~the age of 18~~ **years of age**. The payment of  
 5 compensation to any dependent child ~~shall cease~~ **ceases** when the  
 6 child reaches ~~the age of 18~~ **years of age**, if at the age of 18 years  
 7 ~~he or she-the~~ **child** is neither physically nor mentally  
 8 incapacitated from earning, or when the child reaches ~~the age of 16~~  
 9 **years of age** and thereafter is self-supporting for 6 months. If the  
 10 child ceases to be self-supporting thereafter, the dependency ~~shall~~  
 11 **must** be reinstated. ~~Such-The~~ remaining compensation, if any, ~~shall~~  
 12 ~~be-is~~ payable to the ~~person-individual~~ either wholly or partially  
 13 dependent ~~upon-on~~ the deceased employee for support at the time of  
 14 the employee's death, as provided in the case of the remarriage of  
 15 a dependent ~~wife-spouse~~.

16 (2) This section ~~shall apply~~ **applies** to all ~~persons~~  
 17 **individuals** who are entitled to receive compensation or are  
 18 receiving compensation under this act on July 30, 1985 and who have  
 19 not ~~attained-reached~~ the age of 18 years on July 30, 1985.

20 Sec. 353. (1) For the purposes of sections 351 to 361,  
 21 dependency ~~shall-must~~ be determined as follows:

22 (a) A child under the age of 16 years, or 16 years or ~~over~~  
 23 **older** if physically or mentally incapacitated from earning, living  
 24 with ~~his-the~~ **child's** parent at the time of the injury of that  
 25 parent.

26 (b) In all other cases, questions of dependency ~~shall-must~~ be  
 27 determined in accordance with the facts at the time of the injury,  
 28 except as provided in subsection (3). ~~A person shall-An individual~~  
 29 **is** not ~~be~~ considered a dependent unless ~~he or she-the~~ **individual** is

1 a member of the family of the injured employee, or ~~unless the~~  
 2 ~~person~~ **individual** bears to the injured employee the relation of  
 3 ~~husband or wife, spouse,~~ or lineal descendent, or ancestor or  
 4 ~~brother or sister.~~ **sibling**. Except as to a ~~person~~ **an individual**  
 5 conclusively presumed to be a dependent, a ~~person~~ **an individual** who  
 6 receives less than 1/2 of ~~his or her~~ **the individual's** support from  
 7 an injured employee ~~shall~~ **is** not be considered to be a dependent.

8 (2) Weekly payments to an injured employee ~~shall~~ **must** be  
 9 reduced by the additional amount provided for any dependent child  
 10 or spouse or other dependent when the child either reaches the age  
 11 of 18 years or after becoming 16 ceases for a period of 6 months to  
 12 receive more than 1/2 of ~~his or her~~ **the child's** support from the  
 13 injured employee, if at that time the child is neither physically  
 14 nor mentally incapacitated from earning, ~~+~~ when the spouse is  
 15 divorced by final decree from ~~his or her~~ **the spouse's** injured  
 16 spouse, ~~+~~ or when the child, spouse, or other dependent is  
 17 deceased.

18 (3) An increase in payments ~~shall~~ **must** be made for increased  
 19 numbers of conclusive dependents as defined in this act who were  
 20 not dependent at the time of the injury of an employee.

21 Enacting section 1. This amendatory act does not take effect  
 22 unless Senate Joint Resolution \_\_\_\_ (request no. S00781'25) or  
 23 House Joint Resolution F (request no. H00781'25) of the 103rd  
 24 Legislature becomes a part of the state constitution of 1963 as  
 25 provided in section 1 of article XII of the state constitution of  
 26 1963.