



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 4796 (as reported without amendment)
Sponsor: Representative Ray A. Franz
House Committee: Military and Veterans Affairs
Senate Committee: Veterans, Military Affairs and Homeland Security

CONTENT

The bill would amend Public Act 133 of 1955, which provides job protections for employees who pursue military service, to add references to the military or naval forces or the Governor of any other state in provisions dealing with the prohibited discharge of an employee, an employee's request for a leave of absence, and the reemployment of a person after a period of military service.

The Act prohibits an employer from discharging a person from employment because he or she is, or performs his or her duty as, an officer or enlisted member of the State's military or naval forces. The bill would refer to the military or naval forces of this State or any other state.

Under the Act, an employer may not deny an employee's request for a leave of absence for performing service in the military or naval forces of this State or the United States. The bill would refer to the military or naval forces of this State, any other state, or the United States.

The Act requires an employee to be reemployed if he or she reports to work or applies to the employer for reemployment within certain periods following release from service, release from duty, or rejection. An employee is not entitled to reemployment, however, if he or she has an uninterrupted period of service that exceeds five years, but specified conditions are not included in a period of service. Those conditions include service performed by a member in active service, active State service, or U.S. service, if ordered to or retained on that service, other than for training, because of a war or national emergency declared by the President, Congress, or the Governor. The bill would refer to the Governor of this State or any other state.

The bill would take effect 90 days after enactment.

MCL 32.272 & 32.273

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on the State and could have a negative, though likely minor, fiscal impact on local governments. A violation of Public Act 133 of 1955 is a misdemeanor. An increase in misdemeanor arrests and convictions could increase resource demands on local court systems, law enforcement, and jails. Any associated increase in fine revenue would be dedicated to public libraries.

Date Completed: 5-9-16

Fiscal Analyst: Ryan Bergan

[floor/hb4796](#)

Bill Analysis @ www.senate.michigan.gov/sfa

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