



# HOUSE BILL No. 5438

February 23, 2000, Introduced by Reps. Garcia, Gosselin, Ehardt, Faunce, Raczkowski, Mortimer, Kowall, DeWeese and Neumann and referred to the Committee on Employment Relations, Training and Safety.

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), a public  
2 employer shall not require, by collective bargaining agreement or  
3 otherwise, that a person reside within a specified geographic  
4 area or within a specified distance or travel time from his or  
5 her place of employment as a condition of employment or promotion  
6 by the public employer.

7       (2) Subsection (1) does not prohibit a public employer from  
8 requiring, by collective bargaining agreement or otherwise, that  
9 a person reside within a specified distance from the nearest

1 boundary of the public employer. However, the specified distance  
2 shall be 20 miles or another specified distance greater than 20  
3 miles.

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

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

9 (b) The person's spouse is subject to a condition of employ-  
10 ment or promotion that, if not for this ~~section~~ SUBSECTION,  
11 would require him or her to reside a distance of ~~less than~~ 20  
12 miles OR ANOTHER SPECIFIED DISTANCE GREATER THAN 20 MILES from  
13 the nearest boundary of the public employer.

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