

# Legislative Analysis

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## **CRIME VICTIMS: REQUIRE EMPLOYERS TO PROVIDE TIME OFF WORK TO ATTEND TRIALS**

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### **House Bill 5900**

**Sponsor: Rep. Paul Condino**

### **House Bill 5901**

**Sponsor: Rep. Marc Corriveau**

### **House Bill 5902**

**Sponsor: Rep. Andy Coulouris**

**Committee: Judiciary**

**Complete to 4-8-08**

## **A SUMMARY OF HOUSE BILLS 5900-5903 AS INTRODUCED 3-13-08**

Each bill would amend the William Van Regenmorter Crime Victim's Rights Act to specify that an employee who is a victim of a crime is entitled to up to 12 workweeks of unpaid leave during any 12-month period to attend the trial or other court proceeding of the defendant.

An employee would have to provide the employer with reasonable notice of the date, time, and anticipated duration of the trial or court proceeding and a statement from the prosecuting attorney that the employee is a victim in the case. An employee would subsequently have to provide the employer with a statement from the clerk of the court confirming court attendance by the employee.

An employer could not discharge an employee for requesting such unpaid leave or discourage such a request. An employer who did so would be liable to the employee in a civil action for all damages incurred, including reasonable attorney fees. An employee-victim could also not lose seniority and other rights and benefits determined by seniority for using leave time to attend court proceedings.

House Bill 5900 would apply to felonies and crimes with penalties involving imprisonment for more than one year (Article 1 of the act). House Bill 5901 would apply to serious misdemeanors (Article 3 of the act). House Bill 5902 would apply to victims of juvenile offenders (Article 2 of the act).

The act defines a victim, generally, as an individual who suffers direct or threatened physical, financial, or emotional harm as a result of the commission of a crime. The term also includes relatives of victims of deceased victims (spouse, parent, child, sibling, grandparent, etc.)

MCL 780.751 et seq.

**FISCAL IMPACT:**

There would be no fiscal impact to State or local government unless the governmental unit were the employer and incurred additional costs due to an employee's absence.

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