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FISCAL IMPACT STATEMENT

LS 6876

BILL NUMBER: SB 289

NOTE PREPARED: Jan 3, 2006

BILL AMENDED:

SUBJECT: Family Military Employment Leave.

FIRST AUTHOR: Sen. Simpson

BILL STATUS: As Introduced

FIRST SPONSOR:

**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill provides that certain employees are entitled to up to 30 days leave from employment for family military leave when the spouse or a child of the employee is called to active duty in the armed forces of the United States or the National Guard.

Effective Date: July 1, 2006.

Explanation of State Expenditures: The bill requires an employer of more than 15 employees to allow an employee that is a parent or spouse of a person called to active duty in the armed forces or the National Guard to receive family military leave upon request. The bill would affect state and municipal corporations (this includes counties, municipalities, townships, school corporations, library districts, local housing authorities, fire protection districts, public transportation corporations, local building authorities, local hospital authorities or corporations, local airport authorities, special service districts, or other separate local government entities).

Employers that employ between 15 and 50 employees would be required to provide up to 15 days of unpaid family military leave; employers with more than 50 would be required to provide up to 30 days. A period of family military leave must be provided for each term of active duty in which the spouse or the child of the employee is given. Employees must have exhausted all accrued vacation, personal, compensatory, and other leave granted to the employee before family military leave may be granted.

The bill does not require the employer to pay the employee wages while the employee is on family military leave. In addition, employees are responsible for paying their own benefits while on family military leave.

The bill allows an employee who is denied family military leave to bring civil action against their employer.

This bill could result in indeterminable productivity losses which may occur from current staff having to absorb the temporary workload changes or the productivity losses which might occur when an employee takes unpaid leave. This impact could occur in both state and local government agencies.

Background Information: As of November 2005, there were 13,182 National Guard members in Indiana.

Explanation of State Revenues:

Explanation of Local Expenditures: See *Explanation of State Expenditures*.

Explanation of Local Revenues:

State Agencies Affected: All State Agencies.

Local Agencies Affected: Municipal Corporations.

Information Sources:

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