

**STATE OF MICHIGAN  
92ND LEGISLATURE  
REGULAR SESSION OF 2004**

**Introduced by Reps. Sheen, Hoogendyk, Robertson, Caswell, Vander Veen, Nitz, LaJoy and Drolet**

**ENROLLED HOUSE BILL No. 4160**

AN ACT to amend 1964 PA 154, entitled "An act to fix minimum wages for employees within this state; to prohibit wage discrimination; to provide for the administration and enforcement of this act; and to prescribe penalties for the violation of this act," by amending the title and section 3 (MCL 408.383).

*The People of the State of Michigan enact:*

TITLE

An act to fix minimum wages for employees within this state; to prohibit wage discrimination; to prohibit certain local units of government from imposing certain minimum wage requirements; to provide for the administration and enforcement of this act; and to prescribe penalties for the violation of this act.

Sec. 3. (1) An employer shall not pay an employee at a rate that is less than the applicable rate prescribed in this act.

(2) A local unit of government shall not enact, maintain, or enforce by charter, ordinance, purchase agreement, contract, regulation, rule, or resolution, either directly or indirectly, a minimum wage rate payable by private employers that is greater than the applicable rate prescribed in this act. This subsection does not prohibit a local unit of government from enacting, maintaining, or enforcing through a collective bargaining agreement or other means a minimum wage requirement governing compensation paid by that local unit of government to employees of that local unit of government. This subsection does not prohibit a local unit of government from enacting, maintaining, or enforcing by charter, ordinance, purchase agreement, contract, regulation, rule, or resolution, either directly or indirectly, a greater minimum wage rate than prescribed in this act, if that rate applies to a procurement contract for goods or services that the local unit of government awards to a private vendor. As used in this subsection:

(a) "Contract" does not include a collective bargaining agreement negotiated between a local unit of government and the bargaining representative of the local unit of government's employees, pursuant to 1947 PA 336, MCL 423.201 to 423.217.

(b) "Local unit of government" means a city, county, township, village, school district, intermediate school district, or any political subdivision of this state.

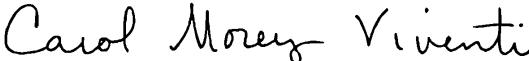
(3) Subsection (2) does not have any effect on any prevailing wage required under 1965 PA 166, MCL 408.551 to 408.558.

(4) Subsection (2) does not prohibit a local unit of government from enforcing an ordinance that is in effect on the effective date of the amendatory act that added subsection (2) as to a contract that was entered into by the local unit of government before the effective date of the amendatory act that added subsection (2).

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor