

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6411**

**BILL NUMBER: SB 230**

**NOTE PREPARED:** Nov 30, 2006

**BILL AMENDED:**

**SUBJECT:** Family Military Leave.

**FIRST AUTHOR:** Sen. Simpson

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**  **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, 2007.

**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 to receive family military leave upon request. Active duty is defined under the bill as full-time service in the armed forces of the United States or the National Guard. The bill would affect state and municipal corporations (which 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:* Approximately 1,500 members of the Indiana National Guard were mobilized as of September 2006; approximately 17,737 military were called to active duty as of July 2006.

**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:** Deborah Williamson, Defense Manpower Data Center; LTC Jerry Hadley, Indiana National Guard.

**Fiscal Analyst:** Sarah Brooks, 317-232-9559.