



# HOUSE BILL No. 4200

January 30, 1995, Introduced by Rep. Fitzgerald and referred to the Committee on Appropriations.

A bill to amend section 57 of Act No. 261 of the Public Acts of 1957, entitled as amended  
"Michigan legislative retirement system act,"  
as amended by Act No. 39 of the Public Acts of 1985, being section 38.1057 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 57 of Act No. 261 of the Public Acts of  
2 1957, as amended by Act No. 39 of the Public Acts of 1985, being  
3 section 38.1057 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 57. (1) Except as provided in subsection (2), all  
6 retirement allowances and other benefits payable under this act  
7 and all accumulated credits of members, deferred vested members,  
8 and retirants in this retirement system are unassignable and  
9 ~~shall~~ ARE not ~~be~~ subject to execution, garnishment, or

1 attachment, or to taxation by ~~the~~ THIS state or any ~~of its~~  
2 political subdivisions OF THIS STATE.

3       (2) All retirement allowances and other benefits payable  
4 under this act and all accumulated contributions of members,  
5 deferred vested members, and retirants in this retirement system  
6 ~~shall be~~ ARE subject to award by a court pursuant to section 18  
7 of chapter 84 of the Revised Statutes of 1846, being section  
8 552.18 of the Michigan Compiled laws, and to any other order of a  
9 court pertaining to ALIMONY OR child support. ALL RETIREMENT  
10 ALLOWANCES AND OTHER BENEFITS PAYABLE UNDER THIS ACT AND ALL  
11 ACCUMULATED CONTRIBUTIONS OF MEMBERS, DEFERRED VESTED MEMBERS,  
12 AND RETIRANTS IN THIS RETIREMENT SYSTEM ARE SUBJECT TO ELIGIBLE  
13 DOMESTIC RELATIONS ORDERS UNDER THE ELIGIBLE DOMESTIC RELATIONS  
14 ORDER ACT, ACT NO. 46 OF THE PUBLIC ACTS OF 1991, BEING SECTIONS  
15 38.1701 TO 38.1711 OF THE MICHIGAN COMPILED LAWS.

16       (3) If an award or order described in subsection (2)  
17 requires the retirement system to withhold payment of a pension,  
18 deferred pension, accumulated contributions, or other benefit  
19 from the person to whom it is due or requires the retirement  
20 system to make payment or requires the person to request that the  
21 retirement system make payment of a pension, deferred pension,  
22 accumulated contributions, or other benefit, for the purpose of  
23 meeting the person's obligations to a spouse, former spouse or  
24 child, as provided in subsection (2), the withholding or payment  
25 provisions of the award or order shall be effective only against  
26 ~~such~~ THOSE amounts as they become payable to the person  
27 receiving a retirement allowance UNLESS OTHERWISE PROVIDED IN AN

1 ELIGIBLE DOMESTIC RELATIONS ORDER UNDER ACT NO. 46 OF THE PUBLIC  
2 ACTS OF 1991. The limitation contained in this subsection  
3 ~~shall~~ DOES not apply to the accumulated contributions of a  
4 person who has terminated employment ~~prior to~~ BEFORE acquiring  
5 a vested member status.