



# HOUSE BILL No. 4633

March 21, 1995, Introduced by Rep. Gustafson and referred to the Committee on Appropriations.

A bill to amend section 10a of Act No. 427 of the Public Acts of 1984, entitled as amended  
"Municipal employees retirement act of 1984,"  
as added by Act No. 99 of the Public Acts of 1990, being section 38.1510a of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 10a of Act No. 427 of the Public Acts of  
2 1984, as added by Act No. 99 of the Public Acts of 1990, being  
3 section 38.1510a of the Michigan Compiled Laws, is amended to  
4 read as follows:

5 Sec. 10a. (1) Subject to sections 43 and 43a, a participat-  
6 ing municipality may by resolution of its governing body or a  
7 participating court may by administrative order of its chief  
8 judge adopt for a temporary period any of the following benefit

1 programs or any legitimate combination of the following benefit  
2 programs:

- 3 (a) Benefit program E-2 under section 22.
- 4 (b) Benefit program FAC-3 under section 2a(5)(b).
- 5 (c) Benefit program F50 under section 10(4).
- 6 (d) Benefit program F55 under section 10(4).
- 7 (e) Benefit program B-1 under section 15.
- 8 (f) Benefit program B-2 under section 16.
- 9 (g) Benefit program B-3 under section 16a.
- 10 (h) Benefit program B-4 under section 16b.
- 11 (i) Benefit program C, new under section 17(1).
- 12 (j) Benefit program C-1, new under section 18(1).
- 13 (k) Benefit program C-2 under section 19.
- 14 (l) Benefit program RS50% under section 23a.
- 15 (2) The resolution or administrative order shall contain all  
16 of the following that are applicable:
  - 17 (a) The benefit program or combination of benefit programs  
18 adopted under subsection (1).
  - 19 (b) The beginning and ending dates of the temporary period  
20 selected under subsection (1). The temporary period selected  
21 shall be for not less than 60 days and not more than 180 days.
  - 22 (c) The classification of members covered by the benefit  
23 program or combination of benefit programs for the temporary  
24 period under subsection (1).
  - 25 (d) If benefit program F50 or F55 is adopted for a temporary  
26 period under subsection (1), the required period of credited  
27 service applicable to the benefit program.

1       (3) A member who is in the classification of members covered  
2 under the benefit program or combination of benefit programs for  
3 the temporary period under this section and who retires under  
4 section 10 during the temporary period shall receive a retirement  
5 allowance computed pursuant to the benefit program or combination  
6 of benefit programs adopted for the temporary period.

7       (4) A participating municipality or a participating court  
8 shall not adopt a temporary period under this section for the  
9 same classification of members on more than 2 occasions in any  
10 period of 5 consecutive calendar years.

11       (5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT TO THE  
12 CONTRARY, A MEMBER WHO IS AN ELECTED OFFICIAL OF A PARTICIPATING  
13 MUNICIPALITY OR PARTICIPATING COURT IS NOT ELIGIBLE AND SHALL NOT  
14 RETIRE UNDER ANY BENEFIT PROGRAM OR COMBINATION OF BENEFIT PRO-  
15 GRAMS ADOPTED FOR A TEMPORARY PERIOD UNDER THIS SECTION. AN  
16 ELECTED OFFICIAL OF A PARTICIPATING MUNICIPALITY OR PARTICIPATING  
17 COURT MAY ONLY RETIRE PURSUANT TO THE BENEFIT PROGRAM UNDER WHICH  
18 THAT ELECTED OFFICIAL IS OTHERWISE ELIGIBLE PURSUANT TO THIS ACT.