

HOUSE BILL No. 4370

February 25, 1997, Introduced by Reps. Kaza, Raczkowski, Cropsey and Kukuk and referred to the Committee on Public Retirement.

A bill to regulate benefits provided to certain public employee retirement system participants in this state; and to prescribe powers and duties of certain retirement systems, state departments, public officials, and public employees.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "regulation of public employee retirement benefits act".

3 Sec. 2. For the purposes of this act, the words and phrases
4 defined in sections 3 and 4 have the meanings ascribed to them in
5 those sections.

6 Sec. 3. (1) "Armed services" means any of the following:

7 (a) The United States army, navy, air force, marine corps,
8 or coast guard.

9 (b) The United States merchant marines.

1 (c) A reserve component of an armed service listed in
2 subdivision (a) or (b).

3 (d) The Michigan national guard as defined in section 105 of
4 the Michigan military act, 1967 PA 150, MCL 32.505.

5 (2) "Benefit" means an annuity, a pension, a retirement
6 allowance, or an optional benefit accrued or accruing to a par-
7 ticipant under a retirement system.

8 (3) "Elected public official" means an individual who holds
9 a public office that is filled by an election. Elected public
10 official includes an individual who is appointed to fill a
11 vacancy in a public office that is normally filled by an
12 election.

13 Sec. 4. (1) "Other public employee retirement system" means
14 a public employee retirement system created and established by
15 the United States, any other state, this state, or a political
16 subdivision of the United States, any other state, or this
17 state. However, other public employee retirement system does not
18 include a public employee retirement system created and estab-
19 lished for the benefit of a member of the armed services.

20 (2) "Participant" means a member, deferred member, or vested
21 former member of a retirement system.

22 (3) "Retirement system" means a public employee retirement
23 system created and established by this state or any political
24 subdivision of this state.

25 Sec. 5. Notwithstanding any other provision of law, rule,
26 or ordinance, or resolution to the contrary, an elected public
27 official who first becomes an elected public official on or after

1 the effective date of this act and who would otherwise be
2 eligible to become a participant of a retirement system by virtue
3 of holding that elective office shall not become a participant of
4 that retirement system if the elected public official is vested
5 in any other public employee retirement system.