

# HOUSE BILL No. 4770

June 16, 2011, Introduced by Reps. Agema, Crawford, Potvin, Genetski, McMillin, Lund, Lori, Haveman, Pettalia, Shirkey, Haines, Poleski, Knollenberg, O'Brien, Bumstead, Lyons, McBroom, Opsommer, Johnson, Muxlow, Shaughnessy, Outman, Damrow, Rogers, Jacobsen, Rendon, Kurtz, Hooker, Yonker, Daley, Kowall, Heise, Huuki, Scott and MacGregor and referred to the Committee on Oversight, Reform, and Ethics.

A bill to prohibit public employers from providing certain benefits to 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 "public employee domestic partner benefit restriction act".

3           Sec. 2. As used in this act:

4           (a) "Medical benefits" means medical, optical, or dental  
5 benefits, including, but not limited to, hospital and physician  
6 services, prescription drugs, and related benefits.

7           (b) "Public employer" means this state; a city, village,  
8 township, county, or other political subdivision of this state; any  
9 intergovernmental, metropolitan, or local department, agency, or  
10 authority, or other local political subdivision; a school district,  
11 a public school academy, or an intermediate school district, as  
12 those terms are defined in sections 4 to 6 of the revised school

1 code, 1976 PA 451, MCL 380.4 to 380.6; a community college or  
2 junior college described in section 7 of article VIII of the state  
3 constitution of 1963; or an institution of higher education  
4 described in section 4 of article VIII of the state constitution of  
5 1963.

6 Sec. 3. (1) A public employer shall not provide medical  
7 benefits or other fringe benefits for an individual currently  
8 residing in the same residence as an employee of the public  
9 employer who is not 1 or more of the following:

10 (a) Married to the employee.

11 (b) A dependent of the employee, as defined in the internal  
12 revenue code of 1986.

13 (c) Otherwise eligible to inherit from the employee under the  
14 laws of intestate succession in this state.

15 (2) A provision in a contract entered into after the effective  
16 date of this act that conflicts with the requirements of this act  
17 is void.

18 Sec. 4. If a collective bargaining agreement or other contract  
19 that is inconsistent with section 3 is in effect for an employee of  
20 a public employer on the effective date of this act, section 3 does  
21 not apply to that group of employees until the collective  
22 bargaining agreement or other contract expires or is amended,  
23 extended, or renewed.

24 Sec. 5. The requirements of section 3 apply to all public  
25 employers to the greatest extent consistent with constitutionally  
26 allocated powers.