



HOUSE BILL No. 5427

February 22, 2000, Introduced by Reps. Garcia, DeHart, Mans, Gosselin, Faunce, Vander Roest, Ehardt, Vear, DeWeese, Mortimer, Martinez, Mead, Scranton, Voorhees and Toy and referred to the Committee on Senior Health, Security and Retirement.

A bill to amend 1986 PA 182, entitled
"State police retirement act of 1986,"
by amending sections 32 and 35 (MCL 38.1632 and 38.1635).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 32. (1) A member of this retirement system who has
2 accumulated 10 or more years of retirement system service credit
3 under this act or former ~~Act No. 251 of the Public Acts of 1935~~
4 1935 PA 251, or both, and who, while an employee of the depart-
5 ment of state police, was or is drafted, enlisted, inducted, or
6 commissioned into active duty with the military, naval, marine,
7 or other armed service of the United States government and who is
8 accepted for reemployment as an employee of the department of
9 state police who subscribes to the constitutional oath of office
10 within 6 months following discharge from active service, or if
11 hospitalized at date of discharge, is accepted for reemployment

1 as an employee of the department who subscribes to the
2 constitutional oath of office within 6 months following release
3 from the military facility, shall have not more than 2 years of
4 the active service credited as a member of the retirement system,
5 in the same manner as if the member had served uninterruptedly.
6 During the period of active service, and until reemployment, the
7 member's contributions to the reserve for employee contributions
8 shall be suspended and the member's balance in his or her account
9 standing to the member's credit as of the last payroll date pre-
10 ceding the member's leave of absence shall be accumulated at reg-
11 ular interest. If the member withdraws all or part of the accu-
12 mulated contributions from his or her account, the active service
13 shall not be credited until the member returns to the reserve for
14 employee contributions those amounts withdrawn, together with
15 regular interest computed from the date of withdrawal to the date
16 of repayment.

17 (2) A member of this retirement system who does not meet the
18 requirements of subsection (1) and who was drafted, enlisted,
19 inducted, or commissioned into active duty with the military or
20 other armed service of the United States government may elect to
21 receive service credit for not more than 2 years of active duty
22 upon request and payment to the retirement system of an amount
23 equal to 5% of the member's full-time compensation for the fiscal
24 year in which the payment is made multiplied by the years and
25 months the member elects to purchase up to the maximum. Service
26 shall not be credited if the service is or would be credited
27 under any other federal, state, or local publicly supported

1 retirement system, but this restriction shall not apply to those
2 persons who have or will have acquired retirement eligibility
3 under the federal government for service in the reserve. Armed
4 service shall not be credited under this subsection until the
5 member has accumulated 10 years of credited service, of which the
6 last 5 are continuous.

7 (3) A SURVIVING SPOUSE OF A FORMER MEMBER OF THIS RETIREMENT
8 SYSTEM WHO DID NOT MEET THE REQUIREMENTS OF SUBSECTION (1) AND
9 WHO WAS DRAFTED, ENLISTED, INDUCTED, OR COMMISSIONED INTO ACTIVE
10 DUTY WITH THE MILITARY OR OTHER ARMED SERVICE OF THE UNITED
11 STATES GOVERNMENT MAY PURCHASE SERVICE CREDIT FOR NOT MORE THAN 2
12 YEARS OF ACTIVE DUTY OF THE FORMER MEMBER UPON REQUEST AND PAY-
13 MENT TO THE RETIREMENT SYSTEM OF AN AMOUNT EQUAL TO 5% OF THE
14 FORMER MEMBER'S FULL-TIME COMPENSATION FOR THE LAST FISCAL YEAR
15 IN WHICH THE FORMER MEMBER WAS A MEMBER OF THIS RETIREMENT SYSTEM
16 MULTIPLIED BY THE YEARS AND MONTHS THE SURVIVING SPOUSE ELECTS TO
17 PURCHASE UP TO THE MAXIMUM. SERVICE SHALL NOT BE CREDITED IF THE
18 SERVICE WAS CREDITED UNDER ANY OTHER FEDERAL, STATE, OR LOCAL
19 PUBLICLY SUPPORTED RETIREMENT SYSTEM, BUT THIS RESTRICTION DOES
20 NOT APPLY IF THE MEMBER ACQUIRED RETIREMENT ELIGIBILITY UNDER THE
21 FEDERAL GOVERNMENT FOR SERVICE IN THE RESERVE.

22 (4) ~~(3)~~ Service credit may be purchased under this section
23 instead of, but not in addition to, purchasing service credit
24 under section 33.

25 Sec. 35. A member OR THE SURVIVING SPOUSE OF THE MEMBER who
26 is otherwise entitled to purchase service credit for active duty
27 in the armed forces under section 32, for service in the Peace

1 Corps or VISTA under section 33, or for maternity or paternity or
2 child rearing under section 34, may purchase such service credit
3 in separate increments equal to 1 or more full years, or a
4 remaining fraction of a year, if any, or both. Partial purchase
5 of service credit under this section shall not bar future such
6 purchases otherwise in compliance with this section and sections
7 32, 33, and 34, but computation of the amount of payment due
8 shall be made separately for each purchase.