

HOUSE BILL No. 4587

April 17, 2001, Introduced by Reps. Switalski, Wojno, Dennis, Neumann, Plakas, Gielegem, Schauer, Pappageorge, Rich Brown, Minore, Rivet and Bogardus and referred to the Committee on Senior Health, Security and Retirement.

A bill to amend 1943 PA 240, entitled
"State employees' retirement act,"
by amending section 33 (MCL 38.33).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 33. (1) ~~(a)~~ Once each year during the first 5 years
2 following the retirement of a member on a disability retirement
3 allowance, and at least once in every 3 year period thereafter
4 the retirement board may, and upon the retirant's application
5 shall, require any disability retirant, who has not attained age
6 60 years, to undergo a medical examination. ~~;~~ ~~such~~ THE examina-
7 tion ~~to~~ SHALL be made by or under the direction of the medical
8 advisor at the ~~place of~~ residence of ~~said~~ THE retirant, or
9 other place mutually agreed upon. ~~Should~~ IF any disability
10 retirant, who has not attained age 60 years, ~~refuse~~ REFUSES to
11 submit to ~~such~~ THE REQUIRED medical examination, ~~in any such~~

1 ~~period,~~ his OR HER disability retirement allowance may be
2 discontinued until his OR HER withdrawal of ~~such~~ THE refusal,
3 and ~~should such~~ IF THE refusal ~~continue~~ CONTINUES for 1 year,
4 all his OR HER rights in and to his OR HER disability retirement
5 allowance may be revoked by the retirement board. If upon ~~such~~
6 THE medical examination of a disability retirant, the medical
7 advisor reports and his OR HER report is concurred in by the
8 retirement board, that the disability retirant is physically able
9 and capable of resuming employment, he OR SHE shall be restored
10 to active service with the state and his OR HER disability
11 retirement allowance shall cease.

12 (2) ~~(b) Should~~ IF the secretary ~~report~~ REPORTS and
13 ~~certify~~ CERTIFIES to the retirement board that ~~such~~ THE dis-
14 ability beneficiary is engaged in a gainful occupation paying
15 more than the difference between his OR HER disability retirement
16 allowance and his OR HER final compensation, and ~~should~~ IF the
17 retirement board ~~concur~~ CONCURS in ~~such~~ THE report, then the
18 amount of his OR HER retirement allowance shall be reduced to an
19 amount which together with the amount earned by him OR HER shall
20 equal his OR HER final compensation. ~~Should~~ IF the earnings of
21 ~~such~~ THE disability retirant ~~be~~ ARE later changed, the amount
22 of his OR HER retirement allowance shall be further modified ~~in~~
23 ~~like manner~~ AS DESCRIBED IN THIS SECTION.

24 (3) SUBSECTION (2) DOES NOT APPLY TO A DUTY DISABILITY
25 RETIRANT WHOSE EARNINGS FROM EMPLOYMENT AND THE DISABILITY
26 RETIREMENT ALLOWANCE RECEIVED UNDER THIS ACT DO NOT EXCEED 150%
27 OF THE FEDERAL POVERTY INCOME STANDARDS AS DEFINED AND DETERMINED

1 ANNUALLY BY THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET AND
2 AS APPROVED BY THE STATE TREASURER.