

# HOUSE BILL No. 4167

February 2, 2005, Introduced by Rep. Pastor and referred to the Committee on Judiciary.

A bill to amend 1992 PA 234, entitled  
"The judges retirement act of 1992,"  
(MCL 38.2101 to 38.2670) by adding section 513.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 513. (1) EFFECTIVE JANUARY 1, 2006, THE RETIREMENT  
2 ALLOWANCE PAYABLE TO A RETIRANT OR BENEFICIARY OF A DECEASED  
3 RETIRANT UNDER TIER 1 IS SUPPLEMENTED BY THE AMOUNT DETERMINED  
4 UNDER SUBSECTION (2).

5           (2) ON OR BEFORE APRIL 1 OF EACH STATE FISCAL YEAR, THE  
6 RETIREMENT SYSTEM SHALL DETERMINE THE AMOUNT BY WHICH THE ACTUARIAL  
7 VALUE OF THE ASSETS IN TIER 1 EXCEED THE PRESENT VALUE OF EXPECTED  
8 FUTURE BENEFIT PAYMENTS FOR TIER 1 BENEFICIARIES. IF THE AMOUNT BY  
9 WHICH THE ACTUARIAL VALUE OF THE ASSETS IN TIER 1 EXCEED THE  
10 PRESENT VALUE OF EXPECTED FUTURE BENEFIT PAYMENTS FOR TIER 1

1 BENEFICIARIES IS AN AMOUNT THAT WILL ALLOW RETIRANTS AND RETIREMENT  
2 ALLOWANCE BENEFICIARIES TO RECEIVE INDIVIDUAL INCREASES OF \$900.00  
3 PER YEAR, THE RETIREMENT SYSTEM SHALL GRANT AN INCREASE OF \$900.00  
4 PER YEAR TO EACH RETIRANT AND RETIREMENT ALLOWANCE BENEFICIARY  
5 RECEIVING RETIREMENT PAYMENTS UNDER THIS ACT. IN ANY YEAR IN WHICH  
6 THE ACTUARIAL VALUE OF ASSETS EXCEEDS THE PRESENT VALUE OF EXPECTED  
7 FUTURE BENEFIT PAYMENTS BY AN AMOUNT LESS THAN THE VALUE OF \$900.00  
8 PER RETIRANT, THE INCREASE SHALL BE REDUCED ON A PRO RATA BASIS TO  
9 REFLECT AN AMOUNT LESS THAN \$900.00 PER RETIRANT. IF THE ACTUARIAL  
10 VALUE OF ASSETS DOES NOT EXCEED THE PRESENT VALUE OF EXPECTED  
11 FUTURE BENEFITS, NO INCREASE WILL BE GIVEN FOR THAT YEAR.

12 (3) THE PERCENTAGE OF FINAL COMPENSATION LIMITS OF SECTION 503  
13 DO NOT APPLY TO THE INCREASE AUTHORIZED BY THIS SECTION.

14 (4) THE RECALCULATED RETIREMENT ALLOWANCE SHALL BE THE BASIS  
15 ON WHICH FUTURE ADJUSTMENTS TO THE RETIREMENT ALLOWANCE ARE  
16 CALCULATED.

17 (5) THE SUPPLEMENT PROVIDED BY THIS SECTION SHALL BE  
18 CALCULATED PURSUANT TO SUBSECTION (2) AND SHALL BE PAID ANNUALLY.  
19 FOR A RETIRANT OR BENEFICIARY OF A DECEASED RETIRANT WHO IS  
20 ELIGIBLE TO RECEIVE A SUPPLEMENT UNDER THIS SECTION, WHO IS  
21 RECEIVING A RETIREMENT ALLOWANCE PURSUANT TO SERVICE CREDITED UNDER  
22 THE FORMER JUDGES RETIREMENT SYSTEM, AND WHO IS RECEIVING A  
23 RETIREMENT ALLOWANCE PURSUANT TO SERVICE CREDITED UNDER THE FORMER  
24 PROBATE JUDGES RETIREMENT SYSTEM, THE RETIREMENT SYSTEM, PURSUANT  
25 TO THIS SECTION, SHALL ONLY SUPPLEMENT THE RETIREMENT ALLOWANCE  
26 THAT IS THE LARGEST IN AMOUNT. IF A RETIRANT DIES BEFORE JULY 1,  
27 2006 AND NO BENEFITS BECOME PAYABLE UNDER SECTION 506 OR 508, THE

1 RETIRANT'S RETIREMENT ALLOWANCE SHALL NOT BE SUPPLEMENTED UNDER  
2 THIS SECTION.