



HOUSE BILL No. 4770

(As amended December 7, 2011)

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 employee" means a person holding a position by
8 appointment or employment in the government of this state; in the
9 government of 1 or more of the political subdivisions of this state;
10 in the public school service; in a public or special district; in
11 the service of an authority, commission, or board of this state or a
12 political subdivision of this state; or in any other branch of the

House Bill No. 4770 as amended December 7, 2011

public service.

>>

Sec. 3. (1) A public employer shall not provide medical benefits or other fringe benefits for an individual currently residing in the same residence as <<a public employee, if the individual >> is not 1 or more of the following:

(a) Married to the employee.

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

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

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

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

Sec. 5. The requirements of section 3 apply to all public <<employees>> to the greatest extent consistent with constitutionally allocated powers.