



# HOUSE BILL No. 5411

January 16, 2018, Introduced by Rep. Barrett and referred to the Committee on Financial Liability Reform.

A bill to amend 1943 PA 240, entitled  
"State employees' retirement act,"  
by amending section 45 (MCL 38.45), as amended by 2002 PA 743.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 45. As used in **THIS SECTION AND** sections ~~45 to 46~~ **AND** 47:

(a) "Covered position" means any of the following:

(i) On or after January 1, 1989, a position in the classified  
civil service with a classification of ~~corrections~~ **ANY OF THE**  
**FOLLOWING:**

(A) **CORRECTIONS** officer. ~~;~~ ~~resident~~

(B) **RESIDENT** unit officer. ~~;~~ ~~corrections~~

(C) **CORRECTIONS** medical aide. ~~;~~ ~~corrections~~

(D) **CORRECTIONS** shift supervisor. ~~;~~ ~~corrections~~

(E) **CORRECTIONS** security specialist; ~~deputy~~ **INSPECTOR.**

1       **(F) CORRECTIONS SECURITY REPRESENTATIVE.**

2       **(G) DEPUTY** prison warden. ~~or departmental~~

3       **(H) DEPARTMENTAL** administrator-prison warden.

4       (ii) On or after January 1, 1989, a position that is assigned  
5 to a work station inside the security perimeter of a state  
6 correctional facility designated as "medium", "close", or  
7 "maximum".

8       (iii) On or after January 1, 1989, a position within a state  
9 correctional facility that requires the employee to be in direct  
10 contact with prisoners for more than 50% of the employee's work  
11 time performing supervisory or disciplinary duties including 1 or  
12 more of the following:

13       (A) Supervising prisoners in the performance of tasks.

14       (B) Supervising prisoners for the purpose of enforcing the  
15 facility's rules.

16       (C) Direct participation in the disciplinary process.

17       (iv) On or after January 1, 1989, a position with the center  
18 for forensic psychiatry that is classified by civil service as  
19 forensics security aide IIB, forensics security aide IIIB,  
20 forensics security supervisor IVB, forensics security supervisor  
21 VB, forensics security supervisor VIB, or forensics supervisor VII.

22       (v) A position that was a covered position under this section  
23 before January 1, 1989, that is excluded by subparagraphs (i) ~~and~~  
24 ~~(ii), (iii), and~~ **TO** (iv), if and only as long as the person in the  
25 position on January 1, 1989, continues in the position after  
26 January 1, 1989.

27       (b) "Supplemental member" means a member who is employed in a

1 covered position.

2 (c) "Covered service" means credited service acquired in a  
3 covered position.

4 (d) "Supplemental final average compensation" means 1/3 of the  
5 compensation paid a supplemental member during the period of 3  
6 consecutive years of the member's covered service producing the  
7 highest average and contained within the member's last 10 years of  
8 credited service immediately preceding the date the member's  
9 employment in a covered position last terminates.

10 (e) "State correctional facility" means a facility under the  
11 jurisdiction of the department of corrections that has a  
12 designation of "maximum", "close", "medium", "minimum", "prison  
13 camp", or "correction center".