

HOUSE BILL No. 5034

October 7, 1987, Introduced by Reps. Richard A. Young, Griffin and O'Neill
and referred to the Committee on Judiciary.

A bill to amend section 18 of Act No. 198 of the Public Acts
of 1951, entitled as amended

"Judges' retirement act,"

being section 38.818 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 18 of Act No. 198 of the Public Acts of
2 1951, being section 38.818 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 18. (1) ~~In the event any~~ IF A beneficiary who
5 retired under the provisions of this act ~~again becomes~~ IS
6 REELECTED AS a judge in any court, ~~except as provided in article~~
7 ~~6, section 23 of the state constitution and in laws enacted pur-~~
8 ~~suant thereto, payment of his annuity shall terminate and he~~
9 ~~shall not again become a member or beneficiary of the retirement~~
10 ~~system. If~~ OR IF he OR SHE thereafter performs judicial duties

1 as provided in ~~article 6,~~ section 23 ~~,~~ OF ARTICLE VI of the
2 state constitution OF 1963, the payment of his OR HER annuity
3 shall be suspended only for the period during which such judicial
4 duties are being performed.

5 (2) A PERSON WHO RETIRED UNDER THIS ACT AND WHO IS REELECTED
6 AS A JUDGE SHALL HAVE HIS OR HER ANNUITY RECALCULATED TO REFLECT
7 THE ADDITIONAL SERVICE PERFORMED AS A JUDGE IF HE OR SHE SERVES
8 NOT LESS THAN 1 FULL TERM IN THE OFFICE TO WHICH HE OR SHE WAS
9 ELECTED EXCEPT AS PROVIDED IN SECTION 16 OR SECTION 19C. AN
10 ANNUITY RECALCULATED PURSUANT TO THIS SUBSECTION IS SUBJECT TO
11 SECTION 14. A PERSON WHO AGAIN RETIRES AND IS ELIGIBLE TO HAVE
12 HIS OR HER ANNUITY RECALCULATED PURSUANT TO THIS SUBSECTION SHALL
13 BEGIN RECEIVING THE RECALCULATED ANNUITY EFFECTIVE THE FIRST OF
14 THE MONTH FOLLOWING THE MONTH IN WHICH THE PERSON LEAVES JUDICIAL
15 SERVICE.