

Act No. 86  
Public Acts of 1991  
Approved by the Governor  
July 18, 1991  
Filed with the Secretary of State  
July 18, 1991

**STATE OF MICHIGAN  
86TH LEGISLATURE  
REGULAR SESSION OF 1991**

Introduced by Senator DiNello

# **ENROLLED SENATE BILL No. 324**

AN ACT to amend section 18 of chapter 84 of the Revised Statutes of 1846, entitled "Of divorce," as added by Act No. 43 of the Public Acts of 1985, being section 552.18 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Section 18 of chapter 84 of the Revised Statutes of 1846, as added by Act No. 43 of the Public Acts of 1985, being section 552.18 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 18. (1) Any rights in and to vested pension, annuity, or retirement benefits, or accumulated contributions in any pension, annuity, or retirement system, payable to or on behalf of a party on account of service credit accrued by the party during marriage shall be considered part of the marital estate subject to award by the court under this chapter.

(2) Any rights or contingent rights in and to unvested pension, annuity, or retirement benefits payable to or on behalf of a party on account of service credit accrued by the party during marriage may be considered part of the marital estate subject to award by the court under this chapter where just and equitable.

(3) Upon motion of a party or upon consent of the parties, an order of the court under this section entered before the effective date of the amendatory act that added this subsection shall be amended to satisfy the requirements of an eligible domestic relations order and to effectuate the intent of the parties or the ruling of the court. As used in this subsection, "eligible domestic relations order" means a domestic relations order that is an eligible domestic relations order under the eligible domestic relations order act.

Section 2. This amendatory act shall not take effect unless House Bill No. 4884 of the 86th Legislature is enacted into law.

This act is ordered to take immediate effect.

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Secretary of the Senate.

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Clerk of the House of Representatives.

Approved.....

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Governor.