

SENATE BILL No. 324

May 21, 1991, Introduced by Senator DI NELLO and
referred to the Committee on Mental Health,
Human Resources, and Senior Citizens.

A bill 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:

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

5 Sec. 18. (1) Any rights in and to vested pension, annuity,
6 or retirement benefits, or accumulated contributions in any pen-
7 sion, annuity, or retirement system, payable to or on behalf of a
8 party on account of service credit accrued by the party during

1 marriage shall be considered part of the marital estate subject
2 to award by the court under this chapter.

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

8 (3) UPON MOTION OF A PARTY OR UPON CONSENT OF THE PARTIES,
9 AN ORDER OF THE COURT UNDER THIS SECTION ENTERED BEFORE THE
10 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION
11 SHALL BE AMENDED TO SATISFY THE REQUIREMENTS OF AN ELIGIBLE
12 DOMESTIC RELATIONS ORDER AND TO EFFECTUATE THE INTENT OF THE PAR-
13 TIES OR THE RULING OF THE COURT.

14 (4) AS USED IN THIS SECTION, "ELIGIBLE DOMESTIC RELATIONS
15 ORDER" MEANS A DOMESTIC RELATIONS ORDER THAT IS AN ELIGIBLE
16 DOMESTIC RELATIONS ORDER UNDER ANY OF THE FOLLOWING:

17 (A) SECTION 83A OF THE PUBLIC SCHOOL EMPLOYEES RETIREMENT
18 ACT OF 1979, ACT NO. 300 OF THE PUBLIC ACTS OF 1980, BEING SEC-
19 TION 38.1383A OF THE MICHIGAN COMPILED LAWS.

20 (B) SECTION 32A OF THE STATE EMPLOYEES' RETIREMENT ACT, ACT
21 NO. 240 OF THE PUBLIC ACTS OF 1943, BEING SECTION 38.32A OF THE
22 MICHIGAN COMPILED LAWS.

23 (C) SECTION 19 OF THE MICHIGAN LEGISLATIVE RETIREMENT SYSTEM
24 ACT, ACT NO. 261 OF THE PUBLIC ACTS OF 1957, BEING SECTION
25 38.1019 OF THE MICHIGAN COMPILED LAWS.

1 (D) SECTION 13 OF THE PROBATE JUDGES RETIREMENT ACT, ACT
2 NO. 165 OF THE PUBLIC ACTS OF 1954, BEING SECTION 38.913 OF THE
3 MICHIGAN COMPILED LAWS.

4 (E) SECTION 43A OF THE STATE POLICE RETIREMENT ACT OF 1986,
5 ACT NO. 182 OF THE PUBLIC ACTS OF 1986, BEING SECTION 38.1643A OF
6 THE MICHIGAN COMPILED LAWS.

7 (F) SECTION 17 OF THE JUDGES' RETIREMENT ACT, ACT NO. 198 OF
8 THE PUBLIC ACTS OF 1951, BEING SECTION 38.817 OF THE MICHIGAN
9 COMPILED LAWS.

10 (G) SECTION 12A OF ACT NO. 156 OF THE PUBLIC ACTS OF 1851,
11 BEING SECTION 46.12A OF THE MICHIGAN COMPILED LAWS.

12 (H) SECTION 53A OF THE MUNICIPAL EMPLOYEES RETIREMENT ACT OF
13 1984, ACT NO. 427 OF THE PUBLIC ACTS OF 1984, BEING SECTION
14 38.1553A OF THE MICHIGAN COMPILED LAWS.

15 (I) SECTION 9A OF THE FIRE FIGHTERS AND POLICE OFFICERS
16 RETIREMENT ACT, ACT NO. 345 OF THE PUBLIC ACTS OF 1937, BEING
17 SECTION 38.559A OF THE MICHIGAN COMPILED LAWS.

18 Section 2. This amendatory act shall not take effect unless
19 all of the following bills of the 86th Legislature are enacted
20 into law:

21 (a) House Bill No. 4761.

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23 (b) House Bill No. 4762.

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25 (c) House Bill No. 4763.

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1 (d) House Bill No. 4764.

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3 (e) House Bill No. 4765.

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5 (f) House Bill No. 4766.

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7 (g) House Bill No. 4767.

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9 (h) House Bill No. 4768.

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11 (i) House Bill No. 4769.

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