



# HOUSE BILL No. 5437

November 30, 1995, Introduced by Reps. DeHart, Prusi, Kelly, Pitoniak, Scott, Profit, Hanley and Anthony and referred to the Committee on Appropriations.

A bill to amend section 24 of Act No. 240 of the Public Acts of 1943, entitled as amended "State employees' retirement act," being section 38.24 of the Michigan Compiled Laws.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Section 24 of Act No. 240 of the Public Acts of  
2 1943, being section 38.24 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 24. Subject to ~~the provisions of~~ sections 33 and 34,  
5 upon application of a member, ~~or his~~ THE MEMBER'S department  
6 head, or the state personnel director, a member who has been a  
7 state employee ~~at least~~ WITH 10 OR MORE years OF CREDITED STATE  
8 SERVICE, OR A MEMBER WHO MEETS THE SERVICE REQUIREMENTS FOR A  
9 DEFERRED RETIREMENT ALLOWANCE UNDER SECTION 20(4) OR (5) AND WHO  
10 becomes totally and permanently incapacitated for duty as the

1 result of causes occurring not in the performance of duty to  
2 ~~the~~ THIS state, may be retired by the retirement board AS PRO-  
3 VIDED IN THIS SECTION. ~~Provided, The~~ IF THE medical advisor  
4 after a medical examination of ~~such~~ THE member DETERMINES THAT  
5 THE MEMBER HAS BECOME TOTALLY AND PERMANENTLY INCAPACITATED FOR  
6 DUTY, THE MEDICAL ADVISOR shall certify that ~~such~~ THE member is  
7 mentally or physically incapacitated for the further performance  
8 of duty, ~~and such~~ THAT THE incapacity is likely to be  
9 permanent, and that ~~such~~ THE member should be retired.