

HOUSE BILL No. 4292

February 20, 2001, Introduced by Reps. Sheltroun, Shackleton, Newell, Neumann, Voorhees, Richardville, Rivet, Wojno, Spade, Kolb and Lemmons and referred to the Committee on Senior Health, Security and Retirement.

A bill to amend 1967 PA 150, entitled
"Michigan military act,"
by amending section 411 (MCL 32.811), as amended by 2000 PA 427.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 411. (1) A person who has completed not less than 20
2 years of active service with the national guard or defense force,
3 or both, may retire and receive retirement pay under 1 or more of
4 the following circumstances:

5 (a) Attainment of 62 years of age.

6 (b) Ineligibility, because of federal law or regulation, for
7 further federal recognition in the person's current grade because
8 of age or length of service, and termination of the person's com-
9 mission or enlistment in the national guard of the United
10 States.

1 (c) Withdrawal of the person's federal recognition and
2 termination of the person's commission or enlistment in the
3 national guard of the United States because of physical disquali-
4 fication from further service.

5 (d) Separation from the national guard or defense force
6 under an honorable circumstance.

7 (2) A person who retires under subsection (1)(a) shall
8 receive pay of \$600.00 per year. A person who retires under sub-
9 section (1)(b), (c), or (d) shall receive pay of \$600.00 per year
10 upon reaching 55 years of age.

11 (3) Upon the death of a person who has completed not less
12 than 20 years of active service with the national guard or
13 defense force, or both, and who before his or her death met 1 of
14 the circumstances described in subsection (1)(b), (c), or (d), OR
15 WAS STILL IN ACTIVE SERVICE, a surviving spouse shall receive
16 ~~-\$300.00-~~ \$500.00 per year until death.

17 (4) A PERSON WHO RETIRED UNDER SUBSECTION (1)(B), (C), OR
18 (D) BETWEEN JULY 1, 1968 AND MARCH 1, 1969 OR AN ELIGIBLE SURVIV-
19 ING SPOUSE OF THAT PERSON SHALL RECEIVE RETROACTIVE RETIREMENT
20 PAY FROM THE EFFECTIVE DATE OF THE CHANGE IN AGE OF ELIGIBILITY
21 FROM 62 TO 55 YEARS OF AGE UNTIL THE PERSON BECAME AWARE OF THE
22 CHANGE IN ELIGIBILITY AND FILED FOR AND RECEIVED RETIREMENT PAY.
23 THIS SUBSECTION IS CONSIDERED CURATIVE IN NATURE TO REMEDY A
24 CLERICAL ERROR THAT PREVENTED CERTAIN ELIGIBLE INDIVIDUALS FROM
25 RECEIVING RETIREMENT PAY IMMEDIATELY UPON THEIR ELIGIBILITY.