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## **POLICE & FIRE DUTY DEATH BENEFIT: END REMARRIAGE PENALTY**

**House Bill 4332**

**Sponsor: Rep. Scott Shackleton**

**Committee: Senior Health, Security and  
Retirement**

**Complete to 3-14-03**

### **A SUMMARY OF HOUSE BILL 4332 AS INTRODUCED 3-12-03**

Under the Fire Fighters and Police Officers Retirement Act, the surviving spouse of an officer is eligible for a duty death pension payable throughout the spouse's life, or until his or her remarriage. However, the act also contains a provision that, if adopted by a municipality, specifies that the remarriage of a surviving spouse does not render him or her ineligible to receive a duty death pension or a nonduty death pension (which is payable to a surviving spouse of an officer who died while still employed after attaining 20 years of service and without designating a survivor option).

House Bill 4332 would amend the Fire Fighters and Police Officers Retirement Act to specify that, beginning on the effective date of the bill, a surviving spouse who is eligible to receive a duty death pension and who remarries after the effective date of the bill could not be denied pension benefits by a municipality because of the remarriage.

In the case of a non-duty death, the local government would retain the option of whether to approve, by resolution, lifting the remarriage restriction for surviving spouses.

In addition, the bill would delete language added in 1982 to address one particular situation in the city of Centerline.

MCL 38.556 et al.

House Bill 4332 (3-14-03)

Analyst: D. Martens

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.