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**SFA****BILL ANALYSIS**

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House Bill 4332 (as passed by the House)  
Sponsor: Representative Scott Shackleton  
House Committee: Senior Health, Security and Retirement  
Senate Committee: Families and Human Services

Date Completed: 4-23-03

### **CONTENT**

The bill would amend the Fire Fighters and Police Officers Retirement Act to prohibit a municipality from denying duty death pension benefits to the remarried surviving spouse of a fire fighter or police officer. Currently, a surviving spouse of an officer whose death is service-connected receives a duty death pension that is to continue for the rest of the surviving spouse's life or until his or her remarriage.

Under the Act, a municipality may adopt a provision specifying that remarriage does not render a surviving spouse ineligible to receive a duty death or non-duty death pension (which is payable to the surviving spouse of an officer who attained 20 years of service but died before retiring and did not designate a survivor option). If the surviving spouse's pension was terminated due to his or her remarriage, the surviving spouse must file a written application for reinstatement of the pension with the retirement board. Beginning on the bill's effective date, as these provisions apply to a surviving spouse who is eligible for a non-duty death pension, the provisions would apply to a municipality upon its governing body's approval of the resolution.

A surviving spouse who was eligible for a duty death pension and who remarried after the bill's effective date could not be denied the pension because of the remarriage.

The bill also would delete a provision that, in a city completely surrounded by a city of at least 80,000 whose governing body elected to be included under the provisions of the Act, a non-duty death pension must be paid to the surviving spouse of a member who attains 15 years of service and dies while in the service of the city before retiring.

MCL 35.556-38.556b

Legislative Analyst: Julie Koval

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.