

HOUSE BILL No. 4493

April 1, 2003, Introduced by Reps. Sheltrown, Lipsey, Condino, Accavitti, Spade, Sak, Minore, Brown, Dennis, Elkins, Howell, Ehardt, Shackleton, Murphy and O'Neil 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 472.

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
9 commission or enlistment in the national guard of the United
10 States.

11 (c) Withdrawal of the person's federal recognition and

1 termination of the person's commission or enlistment in the
2 national guard of the United States because of physical
3 disqualification from further service.

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

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

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

16 (4) A person who retired under subsection (1)(b), (c), or
17 (d) between July 1, 1968 and March 1, 1969 or an eligible
18 surviving spouse of that person shall receive retroactive
19 retirement pay from the effective date of the change in age of
20 eligibility from 62 to 55 years of age until the person became
21 aware of the change in eligibility and filed for and received
22 retirement pay. This subsection is considered curative in nature
23 to remedy a clerical error that prevented certain eligible
24 individuals from receiving retirement pay immediately upon their
25 eligibility.