

# Legislative Analysis

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## **DIVORCE & SEPARATE MAINTENANCE: PENSION, ANNUITY & RETIREMENT BENEFITS**

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### **House Bill 5953**

**Sponsor: Rep. Tonya Schuitmaker**

**Committee: Judiciary**

**Complete to 5-1-06**

### **A SUMMARY OF HOUSE BILL 5953 AS INTRODUCED 4-19-06**

House Bill 5953 would amend Public Act 259 of 1909, which provides for divorce and separate maintenance judgments, to modify property rights and provide for assignment of those rights in judgments of divorce or separate maintenance.

The bill specifies that if judgments of divorce or separate maintenance provide for the assignment of any rights to pension, annuity, or retirement benefits, then a proportionate share of all components of each benefit would be included in the assignment, unless the judgment expressly excluded one or more components.

Components would include, but not be limited to, supplements, subsidies, early retirement benefits, post-retirement benefit increases, surviving spouse benefits, and death benefits. Under the bill, this provision would apply regardless of the characterization of the pension, annuity, or retirement benefits as regular retirement, early retirement, or disability retirement, death benefit, or any other characterization or classification, unless the judgment expressly excluded a particular characterization or classification.

MCL 552.101

### **FISCAL IMPACT:**

The bill has no fiscal implications.

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