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BILL ANALYSIS

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House Bill 6189 (as reported without amendment)
Sponsor: Representative Barb Byrum
House Committee: Intergovernmental, urban, and Regional Affairs
Senate Committee: Judiciary

CONTENT

The bill would amend the Eligible Domestic Relations Order Act to delete a requirement that the Social Security number of a public retirement system participant and alternate payee be included on a domestic relations order.

Currently, a domestic relations order must state the name, last known address, and Social Security number of a "participant" (a member, deferred member, vested former member, deceased former member, or retirant under a public employee retirement system). The domestic relations order also must state the name, last known address, and Social Security number of the "alternate payee" (a spouse of a participant under a judgment of separate maintenance, or a former spouse, child, or dependent of a participant, who is named in an eligible domestic relations order).

Under the bill, instead, a domestic relations order would have to state the names and last known addresses of the participant and alternate payee and refer to an attachment to the domestic relations order. The domestic relations order would have to require that the Social Security numbers of the participant and the alternate payee be sent to the retirement system in an attachment to the order. The attachment could not be filed with the court, but would have to be attached to the domestic relations order when it was sent to the plan administrator for approval.

MCL 38.1702

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government. The bill would make the law consistent with current court rules.

Date Completed: 12-4-08

Fiscal Analyst: Bill Bowerman