

Act No. 297
Public Acts of 2011
Approved by the Governor
December 22, 2011
Filed with the Secretary of State
December 22, 2011
EFFECTIVE DATE: December 22, 2011

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2011**

Introduced by Reps. Agema, Crawford, Potvin, Genetski, McMillin, Lund, Lori, Haveman, Pettalia, Shirkey, Haines, Poleski, Knollenberg, O'Brien, Bumstead, Lyons, McBroom, Opsommer, Johnson, Muxlow, Shaughnessy, Outman, Damrow, Rogers, Jacobsen, Rendon, Kurtz, Hooker, Yonker, Daley, Kowall, Heise, Huuki, Scott and MacGregor

ENROLLED HOUSE BILL No. 4770

AN ACT to prohibit public employers from providing certain benefits to public employees.

The People of the State of Michigan enact:

Sec. 1. This act shall be known and may be cited as the "public employee domestic partner benefit restriction act".

Sec. 2. As used in this act:

(a) "Medical benefits" means medical, optical, or dental benefits, including, but not limited to, hospital and physician services, prescription drugs, and related benefits.

(b) "Public employee" means a person holding a position by appointment or employment in the government of this state; in the government of 1 or more of the political subdivisions of this state; in the public school service; in a public or special district; in the service of an authority, commission, or board of this state or a political subdivision of this state; or in any other branch of the public service.

Sec. 3. (1) A public employer shall not provide medical benefits or other fringe benefits for an individual currently residing in the same residence as a public employee, if the individual is not 1 or more of the following:

(a) Married to the employee.

(b) A dependent of the employee, as defined in the internal revenue code of 1986.

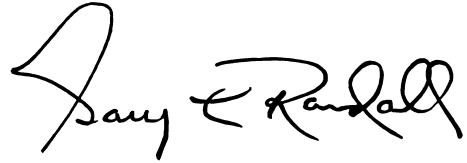
(c) Otherwise eligible to inherit from the employee under the laws of intestate succession in this state.

(2) A provision in a contract entered into after the effective date of this act that conflicts with the requirements of this act is void.

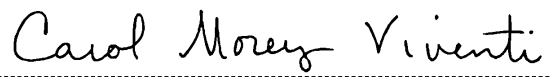
Sec. 4. If a collective bargaining agreement or other contract that is inconsistent with section 3 is in effect for a public employee on the effective date of this act, section 3 does not apply to that group of employees until the collective bargaining agreement or other contract expires or is amended, extended, or renewed.

Sec. 5. The requirements of section 3 apply to all public employees to the greatest extent consistent with constitutionally allocated powers.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor