

HOUSE BILL No. 5352

February 20, 2014, Introduced by Reps. Somerville, Cavanagh, Lori, Kelly, Schor, Singh, Poleski, Graves, O'Brien, Slavens, Cotter, Leonard, Foster, Geiss, Lyons and Tlaib and referred to the Committee on Health Policy.

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 6 (MCL 38.1306), as amended by 2012 PA 300.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) "Original member" means a member employed in
2 Michigan public schools before July 1, 1945.

3 (2) "Out of system public education service" means service
4 performed in public education meeting 1 or more of the following
5 requirements:

6 (a) Performed in other states in the United States or its
7 territorial possessions.

8 (b) Performed at the university of Michigan, Michigan state
9 university, Wayne state university, Grand Valley state university,
10 Oakland university, or Saginaw Valley university.

1 (c) Service purchased before January 31, 1991 and performed in
2 a juvenile training school operated by a county in this state.

3 (d) Service purchased before January 31, 1991 and performed in
4 a community mental health service program operated under former
5 1963 PA 54 for the ~~severely mentally retarded~~ **DEVELOPMENTALLY**
6 **DISABLED** in day care programs, day training programs, or day care
7 training programs that were transferred to an intermediate school
8 district by direction of the department of education.

9 (e) Service purchased before January 31, 1991 and performed as
10 an elementary or secondary teacher at a United States armed forces
11 military base in the United States or a foreign country.

12 (f) Service purchased before January 31, 1991 and performed as
13 a teacher or administrator of American nationals in overseas public
14 elementary or secondary schools operated by the United States
15 department of defense.

16 (g) Performed by an individual who first becomes employed by
17 an institution of higher education described in section 4, 5, or 6
18 of article VIII of the state constitution of 1963 on or after
19 January 1, 1996.

20 (3) "Prior service" means service performed before July 1,
21 1945.

22 (4) "Public local school district" means a general powers
23 school district organized under the revised school code, 1976 PA
24 451, MCL 380.1 to 380.1852, regardless of previous classification,
25 or a school district of the first class under the revised school
26 code, 1976 PA 451, MCL 380.1 to 380.1852.

27 (5) Except as otherwise provided in this subsection, "public

1 school academy" means a public school academy established under
2 part 6a of the revised school code, 1976 PA 451, MCL 380.501 to
3 380.507; an urban high school academy established under part 6c of
4 the revised school code, 1976 PA 451, MCL 380.521 to 380.529; a
5 school of excellence established under part 6e of the revised
6 school code, 1976 PA 451, MCL 380.551 to 380.561; or a strict
7 discipline academy established under sections 1311b to 1311m of the
8 revised school code, 1976 PA 451, MCL 380.1311b to 380.1311m.
9 Public school academy does not include any of the following:

10 (a) A public school academy operated by a state public
11 university that is not subject to the optional retirement act of
12 1967, 1967 PA 156, MCL 38.381 to 38.388.

13 (b) A public school academy corporation formed by a state
14 public university that is not subject to the optional retirement
15 act of 1967, 1967 PA 156, MCL 38.381 to 38.388.

16 (6) Except as otherwise provided in this subsection, "public
17 school employee" means an employee of a public local school
18 district, intermediate school district, public school academy, tax
19 supported community or junior college, eastern Michigan university,
20 central Michigan university, northern Michigan university, western
21 Michigan university, Ferris state university, Michigan
22 technological university, Lake Superior state university, or
23 district library as defined in section 69g if the conditions in
24 section 69g(1) are met for that employee. Service at Michigan
25 technological university shall be creditable only if the amount of
26 the accumulated contributions in the state employees' retirement
27 system created by the state employees' retirement act, 1943 PA 240,

1 MCL 38.1 to 38.69, for service is paid to the retirement system.
2 Service at Ferris state university shall be creditable as prior
3 service or membership service only if the employee was employed at
4 Ferris state university on a full-time basis for 2 or more years
5 after May 17, 1949. Until January 1, 1988, public school employee
6 also includes an individual holding a Michigan teacher certificate
7 and serving as an employee of the Michigan high school athletic
8 association, other than a person whose effective date of employment
9 with the Michigan high school athletic association is on or after
10 December 31, 1986. Public school employee includes a public school
11 employee on an approved leave of absence that does not exceed 2
12 years from the date the employee ceases to accumulate service
13 credit. Public school employee does not include an individual who
14 first becomes employed by a university described in this subsection
15 on or after January 1, 1996, or an employee who is hired but has
16 not yet performed services for remuneration under an express or
17 implied contract with a reporting unit.