

HOUSE BILL No. 4031

February 1, 1989, Introduced by Rep. Pridnia and referred to the Committee on Judiciary.

A bill to amend section 13b of Act No. 198 of the Public Acts of 1951, entitled as amended
"Judges' retirement act,"
being section 38.813b of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 13b of Act No. 198 of the Public Acts of
2 1951, being section 38.813b of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 13b. (1) ~~Notwithstanding any provision to the con-~~
5 ~~trary of Act No. 135 of the Public Acts of 1945, as amended,~~
6 ~~being sections 38.601 to 38.668b of the Michigan Compiled Laws,~~
7 a- A member may elect to have credited service include service
8 rendered previously as a municipal judge, as a justice of the
9 peace OR CORONER in a governmental unit, as a judge for the
10 police court of the city of Grand Rapids or recorder's court for

1 the city of Cadillac, as a probate judge, OR as a referee of the
2 traffic division of the recorder's court of the city of Detroit.
3 A member shall not include in credited service more than 3 years
4 of service rendered as a referee of the traffic division of the
5 recorder's court of the city of Detroit, or more than 2 years of
6 time served honorably, on active duty, as a member of the armed
7 services of the United States.

8 (2) A judge who elects to ~~use~~ RECEIVE service credit
9 ~~pursuant to~~ UNDER subsection (1) may use the service credits
10 earned as a municipal judge, as a justice of the peace OR CORO-
11 NER, AS a judge for the police court of the city of Grand Rapids
12 or recorder's court for the city of Cadillac, as a probate judge,
13 as a referee of the traffic division of the recorder's court of
14 the city of Detroit, or time served honorably, on active duty, as
15 a member of the armed services of the United States ~~—~~ for pur-
16 poses of determining retirement or death benefits under this
17 RETIREMENT system to the same extent that the service would have
18 been credited had it been rendered in a position covered under
19 this act under the following conditions:

20 (a) If the member who is a district judge pays into the
21 ~~employees~~ ANNUITY savings fund an amount computed by all of the
22 following steps:

23 (i) Multiplying the contribution rate by 2/3 of the base
24 salary of a circuit judge for each year and month of service
25 credited before 1969.

1 (ii) Multiplying the contribution rate by the base salary of
2 a district judge for each year and month of service ~~from January~~
3 ~~1, 1969, and thereafter~~ CREDITED AFTER DECEMBER 31, 1968.

4 (iii) Adding the regular interest the member's contributions
5 would have earned had ~~they~~ THE MEMBER'S CONTRIBUTIONS been on
6 deposit during each year and month of service claimed as a
7 credit.

8 (b) If the member who is a supreme court justice, an appeals
9 court judge, a circuit judge, recorder's court judge, or common
10 pleas court judge pays into the annuity savings fund an amount
11 equal to the amount the contributions would have been had the
12 member been a member serving as a circuit judge and adding the
13 regular interest the contributions would have earned had they
14 been on deposit during each year and month of service claimed. A
15 member claiming service for time served honorably, on active
16 duty, as a member of the armed services of the United States may
17 use the service credit for purposes of determining retirement or
18 death benefits under this system to the same extent that the
19 service would have been credited had it been rendered in a posi-
20 tion covered under this act if the member pays into the
21 ~~employees~~ ANNUITY savings fund an amount equal to 5% of the
22 member's salary paid by the state for the year in which payment
23 is made multiplied by the years and months of service that the
24 member elects to purchase up to the maximum of 2 years. Armed
25 service shall not be credited until the member has accumulated 12
26 years of credited service.

1 (c) If the member claiming credit for service performed as a
2 municipal judge, justice of the peace OR CORONER, judge for the
3 police court of the city of Grand Rapids or recorder's court for
4 the city of Cadillac, or referee of the traffic division of the
5 recorder's court of the city of Detroit relinquishes for
6 ~~himself~~ THE MEMBER and his OR HER beneficiaries all rights in
7 and to a retirement allowance from a pension or annuity payable
8 from funds appropriated in whole or in part by a municipality for
9 the same period of service claimed; or if the member claiming
10 credit for service performed as a probate judge relinquishes for
11 ~~himself~~ THE MEMBER and his OR HER beneficiaries all rights in
12 and to a retirement allowance payable for the same period of
13 service by the STATE OF MICHIGAN probate judges retirement system
14 pursuant to THE PROBATE JUDGES RETIREMENT ACT, Act No. 165 of the
15 Public Acts of 1954, as amended, being sections 38.901 to 38.933
16 of the Michigan Compiled Laws.

17 (d) The years of prior service performed shall be credited
18 from the latest to the earliest until the necessary credit for
19 service is met.