

HOUSE BILL No. 4520

March 17, 2005, Introduced by Rep. Sheltroun and referred to the Committee on Senior Health, Security, and Retirement.

A bill to amend 1967 PA 150, entitled
"Michigan military act,"
by amending section 411 (MCL 32.811), as amended by 2000 PA 472.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 411. (1) A person who has completed not less than 20
2 years of active service with the national guard or defense force,
3 or both, may retire and receive retirement pay under 1 or more of
4 the following circumstances:

5 (a) Attainment of 62 years of age.

6 (b) Ineligibility, because of federal law or regulation, for
7 further federal recognition in the person's current grade because
8 of age or length of service, and termination of the person's
9 commission or enlistment in the national guard of the United

1 States.

2 (c) Withdrawal of the person's federal recognition and
3 termination of the person's commission or enlistment in the
4 national guard of the United States because of physical
5 disqualification from further service.

6 (d) Separation from the national guard or defense force under
7 an honorable circumstance.

8 (2) A person who retires under subsection (1)(a) shall receive
9 pay of \$600.00 per year. A person who retires under subsection
10 (1)(b), (c), or (d) shall receive pay of \$600.00 per year upon
11 reaching 55 years of age.

12 (3) Upon the death of a person who has completed not less than
13 20 years of active service with the national guard or defense
14 force, or both, and who before his or her death met 1 of the
15 circumstances described in subsection (1)(b), (c), or (d), **OR WAS**
16 **STILL IN ACTIVE SERVICE**, a surviving spouse shall receive ~~-\$300.00~~
17 **\$500.00** per year until death.

18 **(4) A PERSON WHO RETIRED UNDER SUBSECTION (1)(B), (C), OR (D)**
19 **BETWEEN JULY 1, 1968 AND MARCH 1, 1969 OR AN ELIGIBLE SURVIVING**
20 **SPOUSE OF THAT PERSON SHALL RECEIVE RETROACTIVE RETIREMENT PAY FROM**
21 **THE EFFECTIVE DATE OF THE CHANGE IN AGE OF ELIGIBILITY FROM 62 TO**
22 **55 YEARS OF AGE UNTIL THE PERSON BECAME AWARE OF THE CHANGE IN**
23 **ELIGIBILITY AND FILED FOR AND RECEIVED RETIREMENT PAY. THIS**
24 **SUBSECTION IS CONSIDERED CURATIVE IN NATURE TO REMEDY A CLERICAL**
25 **ERROR THAT PREVENTED CERTAIN ELIGIBLE INDIVIDUALS FROM RECEIVING**
26 **RETIREMENT PAY IMMEDIATELY UPON THEIR ELIGIBILITY.**