

HOUSE BILL No. 4170

February 10, 2015, Introduced by Reps. Franz, Cole, Glenn and Bumstead and referred to the Committee on Judiciary.

A bill to amend 1846 RS 84, entitled
"Of divorce,"
by amending section 18 (MCL 552.18), as amended by 1991 PA 86.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 18. (1) ~~Any~~ **EXCEPT AS PROVIDED IN SUBSECTION (4), ANY**
2 rights in and to vested pension, annuity, or retirement benefits,
3 or accumulated contributions in any pension, annuity, or retirement
4 system, payable to or on behalf of a party on account of service
5 credit accrued by the party during marriage shall be considered
6 part of the marital estate subject to award by the court under this
7 chapter.

8 (2) ~~Any~~ **EXCEPT AS PROVIDED IN SUBSECTION (4), ANY** rights or
9 contingent rights in and to unvested pension, annuity, or
10 retirement benefits payable to or on behalf of a party on account

1 of service credit accrued by the party during marriage may be
2 considered part of the marital estate subject to award by the court
3 under this chapter where just and equitable.

4 (3) Upon motion of a party or upon consent of the parties, an
5 order of the court under this section entered before ~~the effective~~
6 ~~date of the amendatory act that added this subsection~~ **JULY 18, 1991**
7 shall be amended to satisfy the requirements of an eligible
8 domestic relations order and to effectuate the intent of the
9 parties or the ruling of the court. As used in this subsection,
10 "eligible domestic relations order" means a domestic relations
11 order that is an eligible domestic relations order under the
12 eligible domestic relations order act, **1991 PA 46, MCL 38.1701 TO**
13 **38.1711.**

14 (4) **A VETERAN'S DISABILITY COMPENSATION FOR ANY SERVICE-**
15 **CONNECTED DISABILITY UNDER A PROGRAM OR LAW ADMINISTERED BY THE**
16 **UNITED STATES DEPARTMENT OF VETERANS AFFAIRS OR VETERANS**
17 **ADMINISTRATION IS EXEMPT FROM THE MARITAL ESTATE WHEN DETERMINING**
18 **PROPERTY DISPOSITION OR SUPPORT OBLIGATIONS, EXCEPT COMPENSATION**
19 **THAT IS AWARDED TO THE VETERAN FOR THE SUPPORT OF HIS OR HER**
20 **CHILDREN. A VETERAN SHALL DISCLOSE TO THE COURT ANY COMPENSATION**
21 **RECEIVED FROM THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS OR**
22 **VETERANS ADMINISTRATION FOR THE SUPPORT OF HIS OR HER DEPENDENTS.**