

Act No. 202  
Public Acts of 2016  
Approved by the Governor  
June 21, 2016  
Filed with the Secretary of State  
June 22, 2016  
EFFECTIVE DATE: September 20, 2016

**STATE OF MICHIGAN  
98TH LEGISLATURE  
REGULAR SESSION OF 2016**

Introduced by Reps. Glenn and Barrett

# **ENROLLED HOUSE BILL No. 5335**

AN ACT to amend 1955 PA 8, entitled "An act to provide for payments to persons who served in the armed forces of the United States between June 27, 1950, and December 31, 1953, and to beneficiaries of such persons; to prescribe the power and duties of the state administrative board and state officers with respect thereto; to provide for acceptance of financial and other assistance from the federal government; to create the Korean veterans' military pay fund in the state treasury; to make certain appropriations; and to prescribe penalties for violations of the provisions of this act," by amending section 2 (MCL 35.972).

*The People of the State of Michigan enact:*

Sec. 2. As used in this act:

(a) "Period of service" means the period of time between June 27, 1950 and December 31, 1953.

(b) "Veteran" means an individual who meets both of the following:

(i) Is a veteran as defined in section 1 of 1965 PA 190, MCL 35.61.

(ii) Has served honorably and faithfully for more than 60 days in the military, naval, marine or coast guard forces of the United States, at any time during the period of service, and who was a resident of this state at the time of entering such service or on June 27, 1950, and for at least 6 months immediately prior to that date, and who has not applied for and received similar payments from another state.

(c) "Beneficiary" means, in relation to a deceased veteran, the surviving husband or wife, child or children, or the surviving mother, father, person standing in loco parentis, brothers and sisters, in the order named, which determination may be made by the probate court of the county of residence of the veteran at the time of death on petition of the adjutant general.

(d) "Honorably and faithful service" shall be such service as is evidenced by (1) an honorable discharge, or (2) in the case of an officer, a certificate of service, or (3) in the case of a veteran who has not been discharged, a certificate from appropriate service authority that his service was honorable and faithful. Time lost while absent without leave, in desertion, in confinement while undergoing the sentence of a court martial or time lost while in a non-duty status because of disease contracted through the veterans' own misconduct shall not be construed as faithful service.

(e) "Foreign service" means military service by a veteran during the period of service anywhere outside of any state of the United States and the District of Columbia.

(f) "Domestic service" means military service by a veteran during the period of service in any state of the United States and the District of Columbia.

(g) "Adjutant general" means the adjutant general of this state.

(h) "Board" means the state administrative board.

(i) "Resident" means a person who meets 1 or more of the following:

(i) Was born in and lived in this state until entrance into the armed forces of the United States.

(ii) Was born in, but was temporarily living outside of this state, not having abandoned residence in this state prior to entrance into the armed forces of the United States.

(iii) Was born elsewhere but had resided within this state for at least 6 months immediately prior to entrance into military service, or June 27, 1950, and had prior to or during such 6 months' period met 1 or more of the following:

(A) Registered for voting in this state.

(B) Was an unemancipated minor during such period of residence and lived with a parent or person standing in loco parentis who was a resident as set forth in this subparagraph or subparagraph (i) or (ii).

(C) If not registered for voting in this state, was not registered for voting in another state. However, applications filed under this act that have been rejected by the adjutant general because of noncompliance with the foregoing requirement shall be eligible for allowance despite such noncompliance if the applicant had not voted in another state within 6 months prior to entering the service, or June 27, 1950, and had resided in this state for at least 6 months immediately prior to entrance into the armed forces of the United States, or June 27, 1950.

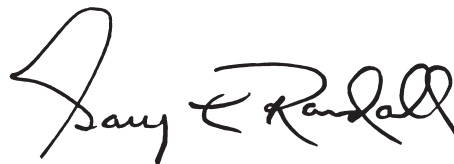
(iv) No information appearing on the discharge of the veteran which shows "permanent address for mailing purposes", "address from which employment will be sought", and "home address at time of entry into service", in another state, shall necessarily be construed to mean that the veteran intended to abandon his or her residence in this state for the purpose of this act.

(v) In all other cases than those outlined under subparagraphs (i), (ii), and (iii), complies with the residence requirements set forth in former section 26 of article 10 of the state constitution of 1908, in accordance with the rules and regulations of the board.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 5332 of the 98th Legislature is enacted into law.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor