

HOUSE BILL No. 5173

September 13, 2005, Introduced by Reps. Wenke, Nofs, Gosselin, Ball, Jones, Kehrl, Booher and Hildenbrand and referred to the Committee on Education.

A bill to amend 1980 PA 300, entitled
"The public school employees retirement act of 1979,"
by amending sections 43b and 81 (MCL 38.1343b and 38.1381), as
amended by 1989 PA 194.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 43b. A member who contributes to the member investment
2 plan shall have the eligibility requirements of section 81 except
3 ~~as follows:~~

4 ~~— (a) The~~ **THAT THE** age 55 requirement of section 81(1)(a) shall
5 not apply.

6 ~~— (b) The 10 years of credited service requirement of section~~
7 ~~81(1)(b) shall be 5 years if the member is working as a public~~
8 ~~school employee and the member received credited service in each of~~

1 ~~the 5 school fiscal years immediately preceding the retirement~~
2 ~~allowance effective date.~~

3 Sec. 81. (1) A member who no longer is working as a public
4 school employee or in any other capacity for which service credit
5 performed in this state is allowed under this act, upon the
6 member's written application to the retirement system, shall be
7 entitled to a retirement allowance provided for in section 84 if 1
8 of the following applies:

9 (a) ~~The~~ **FOR MEMBERS WHO BECAME MEMBERS BEFORE AUGUST 1,**
10 **2005, THE** member is 55 years of age or older and has 30 or more
11 years of credited service as provided under this act of which at
12 least 15 years were served as a public school employee.

13 (b) ~~The~~ **FOR MEMBERS WHO BECAME MEMBERS BEFORE AUGUST 1,**
14 **2005, THE** member is 60 years of age or older and has accumulated 10
15 or more years of credited service as a public school employee.

16 (c) ~~The~~ **FOR MEMBERS WHO BECAME MEMBERS BEFORE AUGUST 1,**
17 **2005, THE** member is 55 years of age or older and has 15 or more
18 years of credited service, but less than 30 years of credited
19 service of which the last 5 consecutive years are immediately
20 preceding the member's retirement allowance effective date.

21 **(D) FOR MEMBERS WHO BECAME MEMBERS ON OR AFTER AUGUST 1, 2005,**
22 **THE MEMBER IS 55 YEARS OF AGE OR OLDER AND HAS 30 OR MORE YEARS OF**
23 **CREDITED SERVICE AS PROVIDED UNDER THIS ACT OF WHICH AT LEAST 15**
24 **YEARS WERE ACTUALLY SERVED AS A PUBLIC SCHOOL EMPLOYEE IN THIS**
25 **STATE.**

26 **(E) FOR MEMBERS WHO BECAME MEMBERS ON OR AFTER AUGUST 1, 2005,**
27 **THE MEMBER IS 60 YEARS OF AGE OR OLDER AND HAS ACTUALLY SERVED AT**

1 LEAST 10 YEARS AS A PUBLIC SCHOOL EMPLOYEE IN THIS STATE.

2 (F) FOR MEMBERS WHO BECOME MEMBERS ON OR AFTER AUGUST 1, 2005,
3 THE MEMBER IS 55 YEARS OF AGE AND HAS 15 OR MORE YEARS OF CREDITED
4 SERVICE BUT LESS THAN 30 YEARS OF CREDITED SERVICE OF WHICH AT
5 LEAST THE LAST 10 CONSECUTIVE YEARS ARE SERVICE ACTUALLY PERFORMED
6 AS A PUBLIC SCHOOL EMPLOYEE IN THIS STATE.

7 (2) For a member who contributes to the member investment
8 plan, the eligibility requirements of subsection (1) shall be
9 modified as provided in section 43b.