

# HOUSE BILL No. 5072

October 20, 1987, Introduced by Reps. Pridnia, Alley and Richard A. Young  
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 service credit pursuant to  
9 subsection (1) may use the service credits earned as a municipal  
10 judge, as a justice of the peace OR CORONER, AS a judge for the  
11 police court of the city of Grand Rapids or recorder's court for  
12 the city of Cadillac, as a probate judge, as a referee of the  
13 traffic division of the recorder's court of the city of Detroit,  
14 or time served honorably, on active duty, as a member of the  
15 armed services of the United States ~~—~~ for purposes of determin-  
16 ing retirement or death benefits under this system to the same  
17 extent that the service would have been credited had it been  
18 rendered in a position covered under this act under the following  
19 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.

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 probate judges retirement system pursuant to THE  
14 PROBATE JUDGES RETIREMENT ACT, Act No. 165 of the Public Acts of  
15 1954, as amended, being sections 38.901 to 38.933 of the Michigan  
16 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.