

Regular Session, 2010

HOUSE BILL NO. 143

BY REPRESENTATIVE LABRUZZO

RETIREMENT BENEFITS: (Constitutional Amendment) Provides for forfeiture of public retirement benefits by certain persons who are convicted of felony acts associated with their positions

1 A JOINT RESOLUTION

2 Proposing to add Article X, Section 29(F) of the Constitution of Louisiana, relative to public
3 retirement systems and persons in such systems; to provide for the forfeiture of
4 retirement benefits by persons who are convicted of certain felonies; to provide for
5 submission of the proposed amendment to the electors; and to provide for related
6 matters.

7 Notice of intention to introduce this Act has been published
8 as provided by Article X, Section 29(C) of the Constitution
9 of Louisiana.

10 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
11 elected to each house concurring, that there shall be submitted to the electors of the state of
12 Louisiana, for their approval or rejection in the manner provided by law, a proposal to add
13 Article X, Section 29(F) of the Constitution of Louisiana, to read as follows:

14 §29. Retirement and Survivor's Benefits

15 Section 29.

16 * * *

17 (F) Forfeiture of Retirement Benefits; Felony Convictions. Notwithstanding
18 any provision of this constitution or of any home rule charter to the contrary, the
19 legislature may provide for the forfeiture of benefits from a public retirement system.

1 plan, or fund in this state by any person who is convicted of a felony associated with
2 his service in any public office or position.

3 Section 2. Be it further resolved that this proposed amendment shall be submitted
4 to the electors of the state of Louisiana at the statewide election to be held on November 2,
5 2010.

6 Section 3. Be it further resolved that on the official ballot to be used at said election
7 there shall be printed a proposition, upon which the electors of the state shall be permitted
8 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall
9 read as follows:

10 To authorize the legislature to provide for the forfeiture of retirement benefits
11 by any member of a Louisiana public retirement system, plan, or fund who
12 is convicted of a felony associated with the member's public service.

13 (Adds Article X, Section 29(F))

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

LaBruzzo

HB No. 143

Abstract: Authorizes the legislature to provide for the forfeiture of public retirement benefits by any person convicted of a felony related to his position.

Present constitution prohibits diminishing or impairing members' accrued benefits in any state or statewide retirement system.

Proposed constitutional amendment authorizes the legislature to provide for the forfeiture of retirement benefits by any person who is a member of a public retirement system, plan, or fund in La. and who has been convicted of a felony related to his office or position.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 2, 2010.

(Adds Const. Art. X, §29(F))