

Regular Session, 2010

HOUSE BILL NO. 228

BY REPRESENTATIVE PEARSON

RETIREMENT BENEFITS: (Constitutional Amendment) Provides for suspension of public retirement benefits during a member's incarceration

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 suspension of
 4 payment of retirement benefits to persons who are incarcerated; 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) Suspension of Retirement Benefits. Notwithstanding any provision of
 18 this constitution or of any home rule charter to the contrary, the legislature may
 19 provide for the suspension of payment of benefits from a public retirement system.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 plan, or fund in this state to any member, former member, or retiree of such system
2 who is incarcerated in a correctional facility.

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 suspension of retirement
11 benefits to any member of a Louisiana public retirement system, plan, or
12 fund who is incarcerated in a correctional facility.

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)]

Pearson

HB No. 228

Abstract: Authorizes the legislature to provide for the suspension of payment of public retirement benefits to any person who is incarcerated.

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 suspension of payment of retirement benefits to any person who is a member of a public retirement system, plan, or fund in La. and who is incarcerated.

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))