

Regular Session, 2012

ACT No. 868

HOUSE BILL NO. 9

BY REPRESENTATIVES LIGI AND CHAMPAGNE

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A JOINT RESOLUTION

Proposing to add Article X, Section 29(G) of the Constitution of Louisiana, to provide relative to public retirement systems and persons in such systems; to provide for legislative authority with respect to the forfeiture of retirement benefits by persons who are convicted of certain felonies; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

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

§29. Retirement and Survivor's Benefits

Section 29.

* * *

(G) Forfeiture of Retirement Benefits; Felony Convictions. The receipt of a public retirement benefit shall be expressly conditioned upon the rendition of honorable service by the public official or employee. Notwithstanding any provision of this constitution or of any home rule charter to the contrary, the legislature may provide for the forfeiture of all or part of the benefits from a public retirement system, plan, or fund in this state by any person who holds or held any public office or employment and who is convicted of a felony associated with and committed during his service in such public office or employment. The legislature may provide for the application of all or part of any forfeited benefits to the unfunded accrued

1 liability of the system, plan, or fund. The provisions of this Paragraph shall be
 2 applied only to persons employed, re-employed, or elected on or after January 1,
 3 2013. The provisions of this Paragraph shall be applied only to benefits earned on
 4 or after January 1, 2013.

5 Section 2. Be it further resolved that this proposed amendment shall be submitted
 6 to the electors of the state of Louisiana at the statewide election to be held on November 6,
 7 2012.

8 Section 3. Be it further resolved that on the official ballot to be used at the election,
 9 there shall be printed a proposition, upon which the electors of the state shall be permitted
 10 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
 11 follows:

12 Do you support an amendment to provide for the forfeiture of public
 13 retirement benefits by any public servant who is convicted of a felony
 14 associated with and committed during his public service? (Adds Article X,
 15 Section 29(G))

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE