

SENATE RESOLUTION NO. 266

BY SENATOR COLOMB

A RESOLUTION

To urge and request that the Senate Committee on Retirement to conduct a study of disposition of retirement benefits for state systems when a beneficiary is convicted of murdering the system member.

WHEREAS, the state of Louisiana has made every effort to provide for its public servants through their retirement benefits and treats such benefits with the highest regard; and

WHEREAS, forfeiture or garnishment of such benefits of a member or beneficiary is not something to be taken lightly and has been provided for only in very limited circumstances such as public corruption, criminal sexual misconduct, and child support enforcement; and

WHEREAS, under the Louisiana Civil Code, an heir or legatee who intentionally kills someone may be judicially declared unworthy to receive anything from the victim's estate; and

WHEREAS, under the Louisiana Insurance Code, no person adjudged to be criminally responsible for the death of the individual insured shall receive insurance benefits under a life insurance contract; and

WHEREAS, Louisiana law does not currently provide for forfeiture or garnishment of retirement benefits when the murder of a system member or retiree results in the convicted murderer receiving payments from the system as a beneficiary of the victim; and

WHEREAS, it is contrary to the public policy of this state to enrich a person at the expense of another's life; and

WHEREAS, an alternative to payment of retirement benefits to a person convicted of murdering a system member or retiree should be explored with the various retirement systems that align with the state's public policy.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request the Senate Committee on Retirement to conduct a study of disposition of retirement benefits for state systems when a beneficiary is convicted of murdering the system member.

BE IT FURTHER RESOLVED that the Senate Committee on Retirement is urged to seek input from the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the Louisiana School Employees' Retirement System, and the Louisiana State Police Retirement System.

BE IT FURTHER RESOLVED that the committee shall report its findings, including any recommended legislation, to the Senate of the Legislature of Louisiana by January 31, 2020.

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PRESIDENT OF THE SENATE