HLS 12RS-424 ORIGINAL

Regular Session, 2012

HOUSE BILL NO. 42

1

BY REPRESENTATIVE CHAMPAGNE

RETIREMENT BENEFITS: (Constitutional Amendment) Provides relative to the forfeiture of public pension benefits by a public official upon felony conviction of certain offenses

A JOINT RESOLUTION

2	Proposing to add Article X, Section 29(G) of the Constitution of Louisiana, to provide
3	relative to public retirement systems and persons in such systems; to provide for
4	legislative authority with respect to the forfeiture of retirement benefits by persons
5	who are convicted of certain felonies; to provide for submission of the proposed
6	amendment to the electors; and to provide for related matters.
7	Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
8	elected to each house concurring, that there shall be submitted to the electors of the state of
9	Louisiana, for their approval or rejection in the manner provided by law, a proposal to add
0	Article X, Section 29(G) of the Constitution of Louisiana, to read as follows:
1	§29. Retirement and Survivor's Benefits
12	Section 29.
13	* * *
14	(G) Forfeiture of Retirement Benefits; Felony Convictions. Notwithstanding
15	any provision of this constitution or of any home rule charter to the contrary, the
16	legislature may provide for the forfeiture of benefits from a public retirement system,
17	plan, or fund in this state of any person who is convicted of a felony associated with
18	his service in any public office or position.

1 Section 2. Be it further resolved that this proposed amendment shall be submitted 2 to the electors of the state of Louisiana at the statewide election to be held on November 6, 3 2012. 4 Section 3. Be it further resolved that on the official ballot to be used at the election, 5 there shall be printed a proposition, upon which the electors of the state shall be permitted 6 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall 7 read as follows: 8 Do you support an amendment to provide for the forfeiture of public 9 retirement benefits by any public servant who is convicted of a felony 10 associated with his public service? (Adds Article X, Section 29(G))

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)]

Champagne HB No. 42

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

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

<u>Proposed constitutional amendment</u> authorizes the legislature to provide for the forfeiture of retirement benefits by any person who is a member of a public retirement system and who has been convicted of a felony related to his office.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 6, 2012.

(Adds Const. Art. X, §29(G))