

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 823

97TH GENERAL ASSEMBLY

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Reported from the Committee on Seniors, Families and Pensions, April 10, 2014, with recommendation that the Senate Committee Substitute do pass.

5824S.03C

TERRY L. SPIELER, Secretary.

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## AN ACT

To amend chapter 105, RSMo, by adding thereto one new section relating to retirement benefit forfeiture, with an emergency clause.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 105, RSMo, is amended by adding thereto one new section, to be known as section 105.669, to read as follows:

**105.669. 1. Any participant of a plan who is found guilty of a felony offense listed in subsection 3 of this section, which is committed in direct connection with or directly related to the participant's duties as an employee on or after the effective date of this section, shall not be eligible to receive any retirement benefits from the respective plan based on service rendered on or after the effective date of this section, except a participant may still request from the respective retirement system a refund of the participant's plan contributions, including interest credited to the participant's account.**

**2. Upon a finding of guilt, the court shall forward a notice of the court's finding to the appropriate retirement system in which the offender was a participant. The court shall also make a determination on the value of the money, property, or services involved in committing the offense. The plans shall take all actions necessary to implement the provisions of this section.**

**3. The finding of guilt for any of the following offenses or a substantially similar offense provided under federal law shall result in the ineligibility of retirement benefits as provided in subsection 1 of this section:**

**(1) The offense of felony stealing under section 570.030 when**

21 such offense involved money, property, or services valued at five  
22 thousand dollars or more as determined by the court;

23 (2) The offense of felony receiving stolen property under section  
24 570.080 when such offense involved money, property, or services valued  
25 at five thousand dollars or more as determined by the court;

26 (3) The offense of forgery under section 570.090;

27 (4) The offense of felony counterfeiting under section 570.103;

28 (5) The offense of bribery of a public servant under section  
29 576.010; or

30 (6) The offense of acceding to corruption under section 576.020.

Section B. Because of the need to protect our public retirement systems,  
2 section A of this act is deemed necessary for the immediate preservation of the  
3 public health, welfare, peace and safety, and is hereby declared to be an  
4 emergency act within the meaning of the constitution, and section A of this act  
5 shall be in full force and effect upon its passage and approval.

✓  
Bill

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