

## **FORFEITURE OF RETIREMENT BENEFITS**

### **House Bill 6067**

**Sponsor: Rep. David M. Gubow**  
**Committee: Public Retirement**

**Complete to 10-15-98**

### **A SUMMARY OF HOUSE BILL 6067 AS INTRODUCED 9-16-98**

Under the Public Employee Retirement Benefits Forfeiture Act, a public employee's rights to his or her retirement benefits are subject to forfeiture if he or she is convicted of, or pleads "nolo contendere" (no contest) to, a felony arising out of his or her public employment in which he or she has breached the public trust.

House Bill 6067 would amend the act as follows:

- Currently, the act allows, but does not require, the sentencing court to order forfeiture of retirement benefits. The bill would make forfeiture of retirement benefits mandatory.
- Currently, the act specifies that health care benefits for the retiree and his or her beneficiary are not forfeited; the bill would make health care benefits subject to forfeiture.
- The current law allows forfeiture of only that portion of the person's retirement benefit that accrued on or after the date that the felony was committed; and further, provides that a portion of the person's benefit be paid to the person's beneficiary. The bill would require forfeiture of the entire pension benefit and delete provisions allowing a portion to be paid to a beneficiary.

MCL 38.2702 et al.

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House Bill 6067 (10-15-98)

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.