



HOUSE BILL No. 4645

April 22, 1993, Introduced by Reps. Whyman, Hill, Galloway, Rhead, Kaza, Kukuk and Gustafson and referred to the Committee on Public Retirement.

A bill to provide for the forfeiture of retirement benefits by public employees under certain circumstances; and to prescribe the powers and duties of certain retirement systems, state departments, public officials, and public employees.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "public employee retirement benefits forfeiture act".

3 Sec. 2. As used in this act:

4 (a) "Member" means a member, vested former member, or
5 deferred member of a retirement system.

6 (b) "Retirant" means a person who has retired with a retire-
7 ment benefit payable from a retirement system.

8 (c) "Retirement benefit" means an annuity, a retirement
9 allowance, a pension, an optional benefit, and any other right
10 accrued or accruing to a member under a retirement system.

1 (d) "Retirement system" means a public employee retirement
2 system established by this state or a political subdivision of
3 this state.

4 Sec. 3. A member or a retirant who breaches the public
5 trust by being convicted of a felony or misdemeanor relating to,
6 arising out of, or in connection with his or her service as a
7 public employee shall forfeit his or her right to a retirement
8 benefit.

9 Sec. 4. (1) Except as provided in subsection (2), a retire-
10 ment system shall not pay to a member or retirant whose retire-
11 ment benefits are forfeited under section 3 any retirement bene-
12 fits on or after the day the member or retirant is convicted of a
13 felony or misdemeanor described in section 3.

14 (2) A retirement system shall pay to a member or retirant
15 whose retirement benefits are forfeited under section 3 all of
16 that person's accumulated contributions standing to that person's
17 credit in the individual account established for that purpose in
18 the retirement system.