

**PUBLIC EMPLOYEE RETIREMENT BENEFITS FORFEITURE ACT (EXCERPT)**  
**Act 350 of 1994**

**38.2703 Forfeiture of retirement rights.**

Sec. 3. A member or retirant who, before the effective date of the amendatory act that added section 4a, is convicted of or enters a nolo contendere plea accepted by a court for a felony arising out of his or her service as a public employee is considered to have breached the public trust and may have his or her rights to an otherwise vested retirement benefit and all accumulated employer contributions, including earnings on the employer contributions, standing to that individual's credit in the retirement system forfeited as provided in this act. A member or retirant who, on or after the effective date of the amendatory act that added section 4a, is convicted of or enters a nolo contendere plea accepted by a court for a felony arising out of his or her service as a public employee is considered to have breached the public trust and must have his or her rights to an otherwise vested retirement benefit and all accumulated employer contributions, including earnings on the employer contributions, standing to that individual's credit in the retirement system forfeited as provided in this act. This act applies only to the retirement system of which the individual was a member or retirant at the time the felony was committed and only to the retirement system established by the entity affected by the felony.

**History:** 1994, Act 350, Eff. Mar. 30, 1995;—Am. 2017, Act 43, Eff. Sept. 5, 2017.