



**House  
Legislative  
Analysis  
Section**

Olds Plaza Building, 10th Floor  
Lansing, Michigan 48909  
Phone: 517/373-6466

**FORFEITURE OF RET. BENEFITS**

**House Bill 4803**

**Sponsor: Rep. Eric Bush**

**House Bill 4804**

**Sponsor: Rep. Michelle McManus**

**House Bill 4805**

**Sponsor: Rep. Greg Kaza**

**House Bill 4806**

**Sponsor: Rep. Beverly Hammerstrom**

**House Bills 4807, 4808 and 4810**

**Sponsor: Rep. Sandra Hill**

**House Bill 4809**

**Sponsor: Rep. James Ryan**

**Committee: Appropriations**

**Complete to 8-18-95**

House Bills 4803-4810 (8-18-95)

**A SUMMARY OF HOUSE BILLS 4803 - 4810 AS INTRODUCED 5-10-95**

Public Act 350 of 1994 created a new act, known as the Public Employee Retirement Benefits Forfeiture Act (PERBFA), that makes a public employee's rights to vested retirement benefits subject to forfeiture if he or she is convicted of, or enters a "no contest" plea for, a felony arising out of public employment in which he or she has breached the public trust. House Bills 4803 - 4809 would amend the various public employee retirement acts to provide that the right of a member, deferred member, or retirant to a pension, annuity, retirement allowance, accumulated contributions, or other benefit under any of the respective acts would be subject to forfeiture pursuant to the PERBFA.

House Bill 4810 would amend the Code of Criminal Procedure (MCL 769.29) to require a judge of a court with jurisdiction, when pronouncing judgment against and passing sentence on a person who was convicted of, or who had pled "no contest" to, a felony arising out of his or her service as public employee (as defined in the PERBFA), to order the person's public employee retirement benefits forfeited pursuant to the PERBFA. Also, the court would have to prepare an order that complied with the PERBFA.

House Bill 4803 would amend the State Employees' Retirement Act (MCL 38.40a); House Bill 4804 would amend the Public School Employees Retirement Act (MCL 38.46a); House Bill 4805 would amend the Judges Retirement Act (MCL 38.2308a); House Bill 4806 would amend the Municipal Employees Retirement Act (MCL 38.1553a); House Bill 4807

would amend the Michigan Legislative Retirement System Act (MCL 38.1057a); House Bill 4808 would amend Public Act 156 of 1851, which governs the county employees retirement system (MCL 46.12a); and House Bill 4809 would amend the Fire Fighters and Police Officers Retirement Act (MCL 38.559a).