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GOVERNOR



THOMAS WILLIAMS  
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**STATE OF HAWAII  
EMPLOYEES' RETIREMENT SYSTEM**

TESTIMONY BY THOMAS WILLIAMS  
EXECUTIVE DIRECTOR, EMPLOYEES' RETIREMENT SYSTEM  
STATE OF HAWAII

TO THE SENATE COMMITTEE ON LABOR  
AND  
THE SENATE COMMITTEE ON JUDICIARY  
ON

SENATE BILL NO. 2228

**February 1, 2018  
2:50 P.M.  
Conference Room 229**

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM

Chairs Tokuda and Taniguchi, Vice Chairs English and Rhoads, and Members of the Committees,

S.B. 2228 proposes to add a new section to subpart C of part II of Chapter 88, Hawaii Revised Statutes to provide for forfeiture by a member, former member, or retirant of the Employees' Retirement System (ERS) of the State of Hawaii, of all or a portion of any interest, hypothetical account balance, pension, annuity or retirement allowance otherwise payable to the member, former member or retirant if the member, former member or retirant is convicted of a felony related to the employment of the member, former member or retirant.

This proposal would require the ERS to comply with a court order decreeing a forfeiture of all or a portion of any interest, hypothetical account balance, pension, annuity or retirement allowance otherwise payable a member, former member, or retirant of the system convicted of a felony



Employees' Retirement System  
of the State of Hawaii

that the court finds is related to the employment of the member, former member, or retirant by the State or county.

This proposal purports to not impair or diminish the accrued retirement benefits of members of Employees' Retirement System protected by article XVI, section 2, of the Hawaii State Constitution. This proposal applies prospectively to felonies committed by public employees after the effective date of the proposal.

The Board of Trustees of the Employees' Retirement System supports this legislation.

Thank you for this opportunity to provide testimony on S.B. 2228.