

FIFTIETH LEGISLATURE  
FIRST SESSION, 2011

SB 247/a

February 16, 2011

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**SENATE BILL 247**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 3, line 22, after "may", insert ", subject to the requirement of Subsection D of this section,".

2. On page 3, line 23, after "of", insert "all or a portion of".

3. On page 4, line 17, after "may", insert ", subject to the requirement of Subsection D of this section,".

4. On page 4, line 18, after "of", insert "all or a portion of".

5. On page 4, between lines 20 and 21, insert the following subsection:

"D. Before issuing an order pursuant to Subsection B or C of this section, the court shall determine the community interest of any spouse of the member or retired member in the pension or other benefits provided for in the applicable state system, and the order shall not affect the spouse's interest."

6. Reletter the succeeding subsections accordingly.

7. On page 5, line 9, strike "F" and insert in lieu thereof "G".

8. On page 5, line 15, after "(5)", insert "or (6)".

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9. On page 5, line 19, after "(4)", insert "or (6)".
10. On page 5, line 23, strike "or" and insert in lieu thereof a comma and after "(5)", insert "or (6)".
11. On page 6, line 10, strike "and".
12. On page 6, line 17, strike the period and insert in lieu thereof "; and".
13. On page 6, between lines 17 and 18, insert the following paragraph:

"(6) if the court did not order the forfeiture of all of the forfeited member's pension and other retirement benefits but ordered the forfeiture of a portion of the pension and benefits, then the actions of the state system pursuant to Paragraphs (1), (2) and (3) of this subsection shall be carried out only to the extent provided in the court order."

and thence referred to the **FINANCE COMMITTEE**.

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Respectfully submitted,

\_\_\_\_\_  
Richard C. Martinez, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 4 Against  
Yes: 7  
No: Lopez, Martinez, Sanchez, M., Wirth  
Excused: None  
Absent: None

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