

Legislation Details (With Text)

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Title:	Terminate San Jose's Service Retirement Benefits for Convicted Felons. (Mayor)		
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Date	Ver.	Action By	Action	Result
7/28/2021	1	Joint Meeting for the Rules and Open Government Committee and Committee of the Whole		

Terminate San Jose's Service Retirement Benefits for Convicted Felons. (Mayor)

Revise San Jose Municipal Code Section 3.36.830 to automatically terminate service retirement benefits upon conviction of a felony, barring extremely unusual circumstances meriting an extraordinary exception, such as the vacation or overturning of the conviction on appeal.

(a) Any such extraordinary circumstances requiring an exceptional consideration of the Retirement Board must be raised in a noticed public hearing, and they require presentation of competent, credible evidence in a manner consistent with the California Rules of Evidence.

(b) The Board retains discretion to provide benefits for spouse or minor children of the terminated retiree so long as they no longer share living expenses nor a residence with the retiree.