S T A T E   O F   N E W   Y O R K

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4807

2013-2014 Regular Sessions

I N   S E N A T E

April 24, 2013
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Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when
    printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to
    clarifying the identity of courts having jurisdiction relating to a
    conviction of a felony as grounds for forfeiture of a public officer's
    New York state pension benefits

    THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
    BLY, DO ENACT AS FOLLOWS:

 1   Section 1. Subdivision 2 of section 157 of the retirement and social
 2 security law, as added by section 1 of part C of chapter 399 of the laws
 3 of 2011, is amended to read as follows:
 4   2. In the case of a public official who stands convicted, by plea of
 5 nolo contendere or plea of guilty to, or by conviction after trial, IN
 6 ANY COURT OF COMPETENT JURISDICTION IN THIS OR ANY OTHER STATE OR IN ANY
 7 FEDERAL COURT OF COMPETENT JURISDICTION, of any crime related to public
 8 office, an action may be commenced in supreme court of the county in
 9 which such public official was convicted of such felony crime, by the
10 district attorney having jurisdiction over such crime, or by the attor-
11 ney general if the attorney general brought the criminal charge which
12 resulted in such conviction, for an order to reduce or revoke the
13 pension to which such public official is otherwise entitled for service
14 as a public official. Such complaint shall specify with particularity
15 which category of felony pursuant to subdivision one of section one
16 hundred fifty-six of this article the defendant has committed, and all
17 other facts that are alleged to qualify such crime as a felony crime
18 related to public office subject to pension reduction or revocation
19 pursuant to this article, and the amount of pension reduction or revoca-
20 tion requested. Such action shall be commenced within six months after
21 such conviction.
22   S 2. This act shall take effect immediately.