

4836

2013-2014 Regular Sessions

I N S E N A T E

April 25, 2013

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 forfeiture of pension rights or retirement benefits upon conviction of a felony related to public employment

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

- 1 Section 1. The retirement and social security law is amended by adding
2 a new section 157-a to read as follows:
3 S 157-A. PENSION FORFEITURE; PER DIEM EXPENSE ACCEPTANCE. 1. ANY STATE
4 OFFICER OR LOCAL OFFICER, AS SUCH TERMS ARE DEFINED IN SECTION TWO OF
5 THE PUBLIC OFFICERS LAW, WHO ACCEPTS COMPENSATION FROM THE STATE IN THE
6 FORM OF REIMBURSEMENT FOR PER DIEM EXPENSES, IN WHOLE OR IN PART, AND IS
7 CONVICTED IN ANY FEDERAL OR STATE COURT OF COMPETENT JURISDICTION OF A
8 FELONY RELATED TO PUBLIC OFFICE, SHALL BE SUBJECT TO FORFEITURE OF
9 RIGHTS OF PRIVILEGES UNDER A PUBLIC RETIREMENT SYSTEM OR PENSION PLAN.
10 2. THE PROVISIONS OF SUBDIVISIONS TWO, THREE, FOUR, FIVE, SIX, SEVEN,
11 EIGHT, NINE, TEN, ELEVEN, TWELVE, THIRTEEN AND FOURTEEN OF SECTION ONE
12 HUNDRED FIFTY-SEVEN OF THIS ARTICLE SHALL APPLY TO ANY ACTION FOR AN
13 ORDER TO REDUCE OR REVOKE THE PENSION TO WHICH SUCH PUBLIC OFFICIAL IS
14 OTHERWISE ENTITLED FOR SERVICE AS A PUBLIC OFFICIAL.
15 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD10509-01-3