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

4591

2013-2014 Regular Sessions

I N S E N A T E

April 12, 2013

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 7 of article 5 of the constitution, in relation to removal of pension and retirement benefits from persons convicted of certain felonies

Section 1. Resolved (if the Assembly concur), That section 7 of article 5 of the constitution be amended to read as follows:

S 7. After July first, nineteen hundred forty, membership in any pension or retirement system of the state or of a civil division thereof shall be a contractual relationship, the benefits of which shall not be diminished or impaired. THE RIGHT TO RECEIVE BENEFITS EARNED BY ANY PUBLIC OFFICIAL WHO IS CONVICTED OF A FELONY OFFENSE RELATED TO PUBLIC OFFICE AS SET FORTH IN SECTION 156 OF THE RETIREMENT AND SOCIAL SECURITY LAW THAT OCCURRED DURING THEIR TIME IN OFFICE SHALL, AFTER NOTICE AND AN OPPORTUNITY TO BE HEARD, BE SUBJECT TO FORFEITURE OR REDUCTION, REGARDLESS OF THE DATE THAT SUCH PUBLIC OFFICIAL'S MEMBERSHIP IN SUCH RETIREMENT SYSTEM COMMENCED.

S 2. Resolved (if the Assembly concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.

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

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