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

4641

2015-2016 Regular Sessions

I N A S S E M B L Y

February 5, 2015

Introduced by M. of A. LALOR, CORWIN, McLAUGHLIN, FINCH, HAWLEY, JOHNS, RAIA, BARCLAY, NOJAY -- Multi-Sponsored by -- M. of A. CROUCH -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to requiring plea agreements offered to public officers to include pension forfeiture

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

Section 1. The public officers law is amended by adding a new section 74-b to read as follows:

S 74-B. PLEA AGREEMENTS TO INCLUDE PENSION FORFEITURE. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, NO PLEA AGREEMENT FOR ANY CRIME RELATED TO ABUSE OF HIS OR HER OFFICE SHALL BE ACCEPTED BY A COURT OF COMPETENT JURISDICTION WHERE THE DEFENDANT IS A PUBLIC OFFICER OR FORMER PUBLIC OFFICER WITHOUT THE COMMENCEMENT OF AN ACTION TO FORFEIT ALL RIGHTS AND BENEFITS AS A MEMBER OR A RETIRED MEMBER OF THE APPROPRIATE RETIREMENT SYSTEM, INCLUDING THE PENSION OF THE PUBLIC OFFICER OR FORMER PUBLIC OFFICER IN SUPREME COURT.

S 2. This act shall take effect immediately.

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

LBD00772-01-5