

STATE OF NEW YORK

2885

2017-2018 Regular Sessions

IN ASSEMBLY

January 23, 2017

Introduced by M. of A. STEC, WALTER, CROUCH, LALOR, FINCH, RAIA, MONTES-
ANO, BARRETT, BARCLAY, KEARNS, LUPINACCI, McKEVITT, FITZPATRICK,
DiPIETRO, McLAUGHLIN, CURRAN, HAWLEY, MALLIOTAKIS, GOODELL, BLANKEN-
BUSH, OAKS, KOLB, RA, LOPEZ -- Multi-Sponsored by -- M. of A. BUTLER,
McDONALD, McDONOUGH, THIELE -- read once and referred to the Committee
on Governmental Employees

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 Senate concur), That section 7 of article
5 of the constitution be amended to read as follows:

§ 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 except in instances where the member is convicted
of any felony offenses as defined by state or federal law and when that
offense was directly related to assigned duties while serving as an
elected official, or officer of the state or of a civil division there-
of. In such a case the contractual relationship will be deemed to have
been severed by the beneficiary due to their breach of the public trust
and violation of their oath of office. The provisions of this section
shall not preclude any state or local officer from receiving a refund of
any contributions made by such officer to a public retirement system or
pension plan.

§ 2. Resolved (if the Senate 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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