

STATE OF NEW YORK

7746

IN SENATE

February 13, 2020

Introduced by Sen. TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Ethics and Internal Governance

AN ACT to amend the public officers law, in relation to crimes against public trust by state officers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as "the halt
2 crimes against public trust act".

3 § 2. The public officers law is amended by adding a new section 79-a
4 to read as follows:

5 § 79-a. Crimes against public trust by state officers. 1. (a) Any
6 state officer indicted for a crime involving public trust shall have
7 their salary for such official position suspended pending such indict-
8 ment.

9 (b) Where the indictment results in a conviction of a crime against
10 public trust, all monies earned by such state officer for such official
11 position beginning with the pay period immediately proceeding the date
12 upon which the first convicted offense occurred shall be paid back to
13 the state by such state officer.

14 (c) Where the indictment does not result in a conviction of a crime
15 against public trust, such suspension shall cease and such state officer
16 shall be paid back all monies not paid to such state officer during such
17 suspension.

18 2. For purposes of this section the term "crime involving public
19 trust" shall include bribery in the first degree as defined in section
20 200.04 of the penal law, bribery in the second degree as defined in
21 section 200.03 of the penal law, bribery in the third degree as defined
22 in section 200.00 of the penal law, bribe receiving in the first degree
23 as defined in section 200.12 of the penal law, bribe receiving in the
24 second degree as defined in section 200.11 of the penal law, bribe
25 receiving in the third degree as defined in section 200.10 of the penal
26 law, corrupting the government in the first degree as defined in section
27 496.05 of the penal law, corrupting the government in the second degree

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

LBD09833-01-9

1 as defined in section 496.04 of the penal law, corrupting the government
2 in the third degree as defined in section 496.03 of the penal law,
3 corrupting the government in the fourth degree as defined in section
4 496.02 of the penal law, rewarding official misconduct in the first
5 degree as defined in section 200.22 of the penal law, rewarding official
6 misconduct in the second degree as defined in section 200.20 of the
7 penal law, receiving reward for official misconduct in the first degree
8 as defined in section 200.27 of the penal law, and receiving reward for
9 official misconduct in the second degree as defined in section 200.25 of
10 the penal law.

11 § 3. This act shall take effect immediately.