

# STATE OF NEW YORK

6918

2023-2024 Regular Sessions

## IN ASSEMBLY

May 9, 2023

Introduced by M. of A. SMULLEN -- read once and referred to the Committee on Governmental Operations

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

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

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law, corrupting the government in the first degree as defined in section 496.05 of the penal law, corrupting the government in the second degree as defined in section 496.04 of the penal law, corrupting the government in the third degree as defined in section 496.03 of the penal law, corrupting the government in the fourth degree as defined in section 496.02 of the penal law, rewarding official misconduct in the first degree as defined in section 200.22 of the penal law, rewarding official misconduct in the second degree as defined in section 200.20 of the penal law, receiving reward for official misconduct in the first degree as defined in section 200.27 of the penal law, and receiving reward for official misconduct in the second degree as defined in section 200.25 of the penal law.

§ 3. This act shall take effect immediately.