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:

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

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

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

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

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

2. For purposes of this section the term "crime involving public trust" shall include bribery in the first degree as defined in section 200.04 of the penal law, bribery in the second degree as defined in section 200.03 of the penal law, bribery in the third degree as defined in section 200.00 of the penal law, bribe receiving in the first degree as defined in section 200.12 of the penal law, bribe receiving in the second degree as defined in section 200.11 of the penal law, bribe 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.