

STATE OF NEW YORK

9010

IN ASSEMBLY

January 14, 2016

A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 7 of article 5 of the constitution, in relation to forfeiture of pension rights or retirement benefits upon conviction of a felony related to public employment

1 Section 1. Resolved (if the Senate concur), That section 7 of article
2 5 of the constitution be amended to read as follows:

3 § 7. After July first, nineteen hundred forty, membership in any
4 pension or retirement system of the state or of a civil division thereof
5 shall be a contractual relationship, the benefits of which shall not be
6 diminished or impaired. A public official who is a member of a pension
7 or retirement system who is convicted of a crime related to public
8 office shall be deemed to have wilfully breached such contractual
9 relationship regardless of when such relationship was established. As a
10 result of such breach, all benefits, rights and privileges he or she may
11 have under such pension or retirement system regardless of when such
12 rights or privileges accrued or vested, shall be subject to forfeiture
13 as provided by law.

14 § 2. Resolved (if the Senate concur), That the foregoing amendment be
15 referred to the first regular legislative session convening after the
16 next succeeding general election of members of the assembly, and, in
17 conformity with section 1 of article 19 of the constitution, be
18 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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