Legislation Details (With Text)

File #:	Res 2012-2009	**Version:**	*	**Name:**	S. 1733 Forfeiture of pension rights or retirement benefits upon conviction of a felony related to public employment, A.1542 to forfeiture of pension rights or retirement benefits upon conviction of certain crimes related to public employment.
Type:	Resolution			**Status:**	Filed
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On agenda:	6/10/2009				
Enactment date:				**Enactment #:**	

Title: Resolution calling on the New York State Legislature to pass S.1733, an act to amend the retirement and social security law, in relation to forfeiture of pension rights or retirement benefits upon conviction of a felony related to public employment and A.1542, an act to amend the retirement and social security law, in relation to forfeiture of pension rights or retirement benefits upon conviction of certain crimes related to public employment.

Sponsors:

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
6/10/2009	*	City Council	Introduced by Council	
6/10/2009	*	City Council	Referred to Comm by Council	
12/31/2009	*	City Council	Filed (End of Session)	

Res. No. 2012

Resolution calling on the New York State Legislature to pass S.1733, an act to amend the retirement and social security law, in relation to forfeiture of pension rights or retirement benefits upon conviction of a felony related to public employment and A.1542, an act to amend the retirement and social security law, in relation to forfeiture of pension rights or retirement benefits upon conviction of certain crimes related to public employment.

By Council Member Vallone Jr.

Whereas, The New York State Legislature is considering S.1733, an act to amend the retirement and social security law, in relation to forfeiture of pension rights or retirement benefits upon conviction of a felony related to public employment; and

Whereas, The New York State Legislature is also considering A.1542, an act to amend the retirement and social security law, in relation to forfeiture of pension rights or retirement benefits upon conviction of

certain crimes related to public employment; and

Whereas, S.1733 would prohibit the receipt of pension benefits when any elected official engages in criminal conduct in relation to that office while earning the pension; and

Whereas, A.1542 would establish a procedure whereby public misconduct by a public employee may disqualify him or her from all or part of their pension benefits; and

Whereas, New York State has no policy mandating the forfeiture of pension benefits by a public official who has been convicted of a crime; and

Whereas, Currently, a state or local government employee that meets age and length of service requirements for a pension in accordance with the State's Retirement and Social Security Law is entitled to collect pension benefits even if that employee has betrayed the public's trust and has been convicted of a crime related to the betrayal of that trust; and

Whereas, Pension forfeiture statutes can be created to withhold public tax dollars from public servants who break the public trust in a significant way and recognize a fiduciary duty owed to the citizens of the State; and

Whereas, Pennsylvania, Florida, Georgia, Illinois, and Massachusetts have all enacted pension forfeiture statues which operate to sever a public employee's claim to a taxpayer-financed pension if such employees engages in criminal misconduct related to their official duties; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass S.1733, an act to amend the retirement and social security law, in relation to forfeiture of pension rights or retirement benefits upon conviction of a felony related to public employment and A.1542, an act to amend the retirement and social security law, in relation to forfeiture of pension rights or retirement benefits upon conviction of certain crimes related to public employment.

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