

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2221

Session of
1986

INTRODUCED BY NAHILL, VROON, JOHNSON, FOX, STEVENS, SIRIANNI,
ROBBINS, FARGO, E. Z. TAYLOR, OLASZ, PRATT, SAURMAN AND
HERMAN, MARCH 12, 1986

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 12, 1986

AN ACT

1 Amending the act of July 8, 1978 (P.L.752, No.140), entitled "An
2 act providing for the forfeiture of the pensions of certain
3 public employees and authorizing the State or political
4 subdivision to garnish the pension benefits of certain public
5 officers and employees upon conviction of certain criminal
6 activity related to their office or position of employment,"
7 further providing for the forfeiture of pensions for felony
8 convictions.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The definition of "crimes related to public
12 office or public employment" in section 2 of the act of July 8,
13 1978 (P.L.752, No.140), known as the Public Employee Pension
14 Forfeiture Act, is amended to read:

15 Section 2. Definitions.

16 The following words and phrases when used in this act shall
17 have, unless the context clearly indicates otherwise, the
18 meanings given to them in this section:

19 "Crimes related to public office or public employment." Any
20 of the following criminal offenses as set forth in Title 18

(Crimes and Offenses) of the Pennsylvania Consolidated Statutes or other enumerated statute when committed by a public official or public employee through his public office or position or when his public employment places him in a position to commit the crime:

(1) § 3922 (relating to theft by deception);

(2) § 3923 (relating to theft by extortion);

(3) § 3926 (relating to theft of services);

(4) § 3927 (relating to theft by failure to make required disposition of funds received). The provisions of paragraphs (1) through (4) shall only apply when the criminal culpability reaches the level of a misdemeanor of the first degree or higher;

(5) § 4101 (relating to forgery);

(6) § 4104 (relating to tampering with records or identification);

(7) § 4113 (relating to misapplication of entrusted property and property of government or financial institutions) when the criminal culpability reaches the level of misdemeanor of the second degree;

(8) § 4701 (relating to bribery in official and political matters);

(9) § 4702 (relating to threats and other improper influence in official and political matters);

(10) § 4902 (relating to perjury);

(11) § 4903(a) (relating to false swearing);

(12) § 4904 (relating to unsworn falsification to authorities);

(13) § 4906 (relating to false reports to law enforcement authorities);

1 (14) § 4907 (relating to tampering with witnesses and
2 informants);

3 (15) § 4908 (relating to retaliation against witness or
4 informant);

5 (16) § 4909 (relating to witness or informant taking
6 bribe);

7 (17) § 4910 (relating to tampering with or fabricating
8 physical evidence);

9 (18) § 4911 (relating to tampering with public records
10 or information);

11 (19) § 5101 (relating to obstructing administration of
12 law or other governmental function);

13 (20) § 5301 (relating to official oppression);

14 (21) § 5302 (relating to speculating or wagering on
15 official action or information); [and]

16 (22) Article III, act of March 4, 1971 (P.L.6, No.2),
17 known as the "Tax Reform Code of 1971[.]"; and

18 (23) Any crime classified as a felony under the laws of
19 Pennsylvania or under any Federal law.

20 In addition to the foregoing specific crimes, the term also
21 includes all criminal offenses as set forth in Federal law
22 substantially the same as the crimes enumerated herein.

23 * * *

24 Section 2. This act shall apply to any member joining any
25 retirement system funded in whole or in part by the Commonwealth
26 or any political subdivision on or after the effective date of
27 this amendatory act.

28 Section 3. This act shall take effect in 60 days.