

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 147 Session of 2013

INTRODUCED BY WARD, STACK, ERICKSON, FONTANA, MENSCH, TOMLINSON,  
VULAKOVICH, KASUNIC, WASHINGTON, VOGEL, D. WHITE, YUDICHAK,  
SCARNATI, SOLOBAY, RAFFERTY, BOSCOLA AND BAKER,  
JANUARY 15, 2013

REFERRED TO FINANCE, JANUARY 15, 2013

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 definition of "crimes related to  
8 public office or public employment."

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, amended July 15, 2004 (P.L.733, No.86), is  
15 amended to read:

16 Section 2. Definitions.

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

20 "Crimes related to public office or public employment." Any

1 of the criminal offenses as set forth in the following  
2 provisions of Title 18 (Crimes and Offenses) of the Pennsylvania  
3 Consolidated Statutes or other enumerated statute when committed  
4 by a public official or public employee through his public  
5 office or position or when his public employment places him in a  
6 position to commit the crime:

7 Any of the criminal offenses set forth in Subchapter B of  
8 Chapter 31 (relating to definition of offenses) when the  
9 criminal offense is committed by a school employee as defined in  
10 24 Pa.C.S. § 8102 (relating to definitions) against a student.

11 Section 3922 (relating to theft by deception) when the  
12 criminal culpability reaches the level of a misdemeanor of the  
13 first degree or higher.

14 Section 3923 (relating to theft by extortion) when the  
15 criminal culpability reaches the level of a misdemeanor of the  
16 first degree or higher.

17 Section 3926 (relating to theft of services) when the  
18 criminal culpability reaches the level of a misdemeanor of the  
19 first degree or higher.

20 Section 3927 (relating to theft by failure to make required  
21 disposition of funds received) when the criminal culpability  
22 reaches the level of a misdemeanor of the first degree or  
23 higher.

24 Section 4101 (relating to forgery).

25 Section 4104 (relating to tampering with records or  
26 identification).

27 Section 4113 (relating to misapplication of entrusted  
28 property and property of government or financial institutions)  
29 when the criminal culpability reaches the level of misdemeanor  
30 of the second degree.

1       Section 4701 (relating to bribery in official and political  
2 matters).

3       Section 4702 (relating to threats and other improper  
4 influence in official and political matters).

5       Section 4902 (relating to perjury).

6       Section 4903(a) (relating to false swearing).

7       Section 4904 (relating to unsworn falsification to  
8 authorities).

9       Section 4906 (relating to false reports to law enforcement  
10 authorities).

11       Section 4909 (relating to witness or informant taking bribe).

12       Section 4910 (relating to tampering with or fabricating  
13 physical evidence).

14       Section 4911 (relating to tampering with public records or  
15 information).

16       Section 4952 (relating to intimidation of witnesses or  
17 victims).

18       Section 4953 (relating to retaliation against witness, victim  
19 or party).

20       Section 5101 (relating to obstructing administration of law  
21 or other governmental function).

22       Section 5301 (relating to official oppression).

23       Section 5302 (relating to speculating or wagering on official  
24 action or information).

25       Section 6318 (relating to unlawful contact with minor) when  
26 the criminal culpability reaches the level of a felony of the  
27 third degree or higher.

28       Article III of the act of March 4, 1971 (P.L.6, No.2), known  
29 as the "Tax Reform Code of 1971."

30       In addition to the foregoing specific crimes, the term also

1 includes all criminal offenses as set forth in Federal law  
2 substantially the same as the crimes enumerated herein.

3 \* \* \*

4 Section 2. This act shall take effect immediately.