

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2469 Session of
2012

INTRODUCED BY F. KELLER, BLOOM, BOYD, CUTLER, DeLUCA, GROVE,
HARRIS, HORNAMAN, KAUFFMAN, MARSICO, MASSER, MUNDY, TALLMAN,
VULAKOVICH, MOUL, NEILSON, SWANGER AND METCALFE,
JUNE 13, 2012

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 13, 2012

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 definitions, for disqualification and
8 forfeiture of benefits and for restitution for monetary loss.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Section 2 of the act of July 8, 1978 (P.L.752,
12 No.140), known as the Public Employee Pension Forfeiture Act, is
13 amended by adding a definition to read:

14 Section 2. Definitions.

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

18 * * *

19 "Felony offense." Any crime classified as a felony under the
20 laws of Pennsylvania or a Federal offense punishable by a term

1 of imprisonment greater than one year.

2 * * *

3 Section 2. Sections 3(a) and 4(a) of the act are amended to
4 read:

5 Section 3. Disqualification and forfeiture of benefits.

6 (a) Notwithstanding any other provision of law, no public
7 official or public employee nor any beneficiary designated by
8 such public official or public employee shall be entitled to
9 receive any retirement or other benefit or payment of any kind
10 except a return of the contribution paid into any pension fund
11 without interest, if such public official or public employee is
12 convicted or pleads guilty or no defense to any felony offense
13 or crime related to public office or public employment.

14 * * *

15 Section 4. Restitution for monetary loss.

16 (a) Whenever any public official or employee who is a member
17 of any pension system funded by public moneys is convicted or
18 pleads guilty or pleads no defense in any court of record to any
19 felony offense or crime related to a public office or public
20 employment, the court shall order the defendant to make complete
21 and full restitution to the Commonwealth or political
22 subdivision of any monetary loss incurred as a result of the
23 criminal offense.

24 * * *

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