

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1408 Session of 2012

INTRODUCED BY VANCE, RAFFERTY, VOGEL, ALLOWAY, COSTA, GORDNER,
SOLOBAY, WAUGH, BOSCOLA, FARNESE, M. WHITE, MENSCH AND BAKER,
FEBRUARY 2, 2012

REFERRED TO FINANCE, FEBRUARY 2, 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 "Infamous crime." As determined under section 7 of Article
20 II of the Constitution of Pennsylvania.

1 * * *

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

4 Section 3. Disqualification and forfeiture of benefits.

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

13 * * *

14 Section 4. Restitution for monetary loss.

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

23 * * *

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