
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 319 Session of
2013

INTRODUCED BY FARNESE, VULAKOVICH, WILLIAMS, KASUNIC, STACK,
WASHINGTON, TARTAGLIONE, FONTANA, BROWNE, EICHELBERGER,
FERLO, SOLOBAY AND BOSCOLA, JANUARY 25, 2013

REFERRED TO FINANCE, JANUARY 25, 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 extending the coverage of the act.

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

10 Section 1. The definition of "crimes related to public
11 office or public employment" in section 2 of the act of July 8,
12 1978 (P.L.752, No.140), known as the Public Employee Pension
13 Forfeiture Act, amended July 15, 2004 (P.L.733, No.86), is
14 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." As
20 follows:

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

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

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

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

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

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

26 Section 4101 (relating to forgery).

27 Section 4104 (relating to tampering with records or
28 identification).

29 Section 4113 (relating to misapplication of entrusted
30 property and property of government or financial

1 institutions) when the criminal culpability reaches the level
2 of misdemeanor of the second degree.

3 Section 4701 (relating to bribery in official and
4 political matters).

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

7 Section 4902 (relating to perjury).

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

9 Section 4904 (relating to unsworn falsification to
10 authorities).

11 Section 4906 (relating to false reports to law
12 enforcement authorities).

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

15 Section 4910 (relating to tampering with or fabricating
16 physical evidence).

17 Section 4911 (relating to tampering with public records
18 or information).

19 Section 4952 (relating to intimidation of witnesses or
20 victims).

21 Section 4953 (relating to retaliation against witness,
22 victim or party).

23 Section 5101 (relating to obstructing administration of
24 law or other governmental function).

25 Section 5301 (relating to official oppression).

26 Section 5302 (relating to speculating or wagering on
27 official action or information).

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

30 In addition to the foregoing specific crimes, the term

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

3 (2) Any offense that requires registration under 42
4 Pa.C.S. § 9795.1 (relating to registration) when committed by
5 a public official or public employee.

6 * * *

7 Section 2. This act shall take effect in 60 days.