



NEW YORK STATE SENATOR

Joseph A. Griffo

Griffo applauds Legislature vote to strip pensions from corrupt public officials

JOSEPH A. GRIFFO January 31, 2017

| ISSUE: **ETHICS REFORM, CORRUPTION, PENSION FORFEITURE, CONSTITUTIONAL REFORM**



ALBANY – State Senator Joseph Griffo applauded the New York State Legislature today for passing an ethical reform for the second time that would strip pension benefits from any state public officials convicted of corruption.

By approving this measure ([S418](#)) in the Senate and Assembly for the second year in a row, the next step for this pension forfeiture legislation will be to appear on the ballot in

November for voter approval to change the New York State Constitution.

Voting in support of this legislation once again, Senator Griffo, R-Rome, said he is hopeful this constitutional reform will help restore the public's trust in Albany and their elected officials.

"All public officials are held to a higher standard when they are voted into office, and so no corrupt official should be able to benefit financially after they have violated the public's trust," Senator Griffo said. "The voters have expressed that they will not tolerate this type of corruption, and neither will this legislative body. While I believe most public officials are honorable men and women who pursue this service with the best intentions, I am proud to join the public in sending the clear message that public officials are sent to Albany to represent the citizenry, not to enrich themselves at the taxpayers' expense."

Senator Griffo noted that he also believes imposing term limits on public officials will help prevent corruption, and he continues to fight for legislation that would set eight-year term limits for leadership positions and committee chairmanships in the Senate and Assembly.

In 2011, New York State enacted the Public Integrity Reform Act which stated that any public official that joined the retirement system on or after Nov. 13, 2011, is subject to pension forfeiture if convicted of certain felonies related to their public office. However, many public officials joined the retirement system before that date. The New York State Constitution states that public pensions involve a contractual relationship that cannot be reduced or impaired, unless the State Constitution itself is amended.

Under the measure passed by the Senate and Assembly on Monday, a public officer convicted of a felony directly related to his or her duties could be subject to pension reduction or revocation following notice and a court hearing. The court's decision to reduce

or revoke pension benefits would consider factors such as the severity of the crime and whether a reduction might be proportionate to the offense. Public officers include elected officials, direct gubernatorial appointees, municipal managers, department heads, chief fiscal officers and policy-makers.

The proposal would also allow the court to order pension benefits to be paid to an innocent spouse, minor dependents or other dependent family members after consideration of their financial needs and resources.

The legislation must pass both houses of the Legislature in two consecutive legislative sessions. Both the Assembly and the Senate passed the measure during the legislative session last year. Following its passage in both houses this year, it would then appear on the ballot in November for voter approval to change the New York State Constitution.

###

RELATED LEGISLATION

2017-S418

- Introduced
- - In Committee Assembly
 - In Committee Senate

- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Provides for the reduction or revocation of the public pension of a public officer

January 03, 2017

In Senate Committee [Judiciary](#)

Sponsored by [Thomas D. Croci](#)

Do you support this bill?