



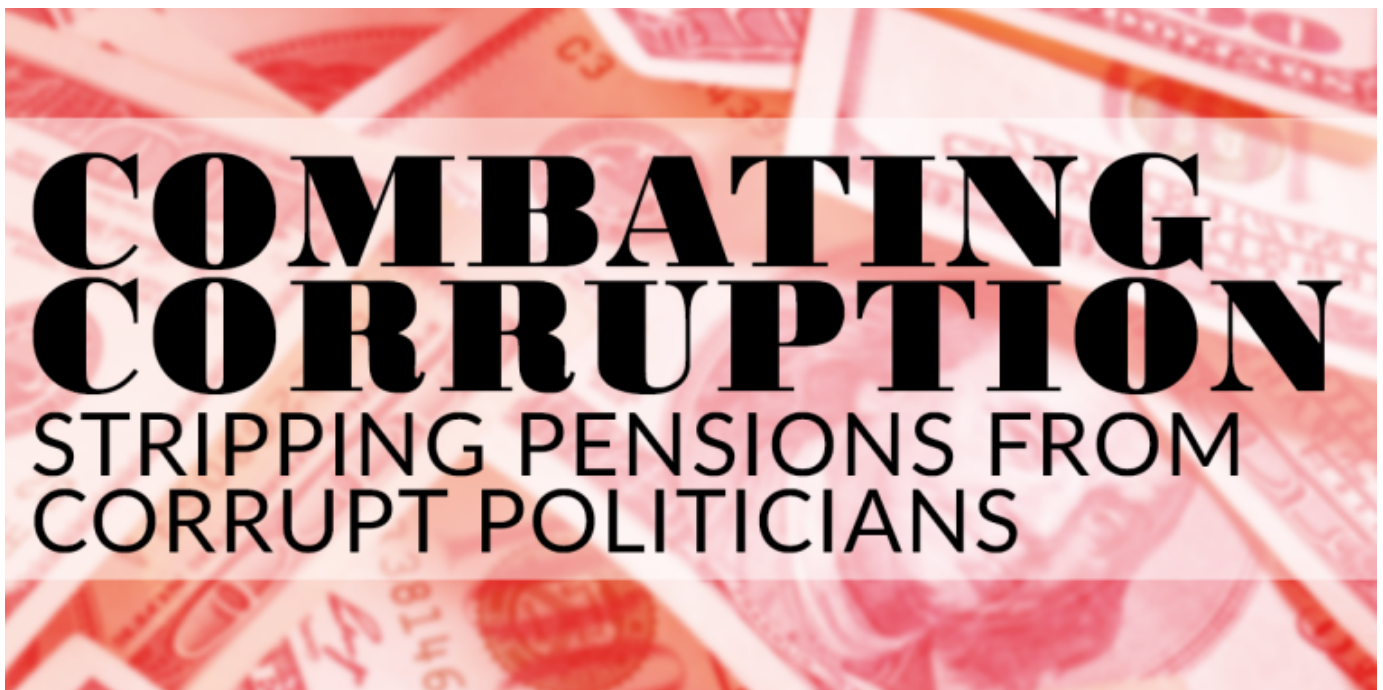
NEW YORK STATE SENATOR

Pamela Helming

Senator Helming Votes in Favor of Ethics Reform Measures

PAMELA HELMING February 3, 2017

| ISSUE: **ETHICS REFORM**



Senator Pamela Helming is proud to announce that the New York State Legislature recently took steps to amend the New York State Constitution to allow the state to reduce or revoke the pension of a public officer that has been convicted of a felony related to his or her official duties. The Legislature also passed a joint resolution setting new requirements for members that earn additional income from outside employment.

Stripping Pensions from Corrupt Public Officials

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 November 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 of course, the State Constitution itself is amended.

Under the measure, 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 (S.418/A.1749). 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.

Ensuring Outside Income Does Not Conflict With Official Duties

Under the joint resolution (B.404/C.25) passed today, any member of the Legislature earning more than \$5,000 income through outside employment must submit a written request for an advisory opinion to the Legislative Ethics Commission to ensure the employment is consistent with the New York State Public Officers Law.

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?