
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 991 Session of
2019

INTRODUCED BY THOMAS, TOEPEL, ROTHMAN, BARRAR, MILLARD, MURT,
OBERLANDER, BERNSTINE, B. MILLER, KEEFER, MASSER, GROVE,
WARREN AND MOUL, MARCH 27, 2019

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 27, 2019

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.

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, is amended 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 "Crimes related to public office or public employment." Any
19 of the criminal offenses as set forth in the following
20 provisions of Title 18 (Crimes and Offenses) of the Pennsylvania

1 Consolidated Statutes or other enumerated statute when committed
2 by a public official or public employee through his public
3 office or position or when his public employment places him in a
4 position to commit the crime:

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

9 Section 3922 (relating to theft by deception) when the
10 criminal culpability reaches the level of a misdemeanor of the
11 first degree or higher.

12 Section 3923 (relating to theft by extortion) when the
13 criminal culpability reaches the level of a misdemeanor of the
14 first degree or higher.

15 Section 3926 (relating to theft of services) when the
16 criminal culpability reaches the level of a misdemeanor of the
17 first degree or higher.

18 Section 3927 (relating to theft by failure to make required
19 disposition of funds received) when the criminal culpability
20 reaches the level of a misdemeanor of the first degree or
21 higher.

22 Section 4101 (relating to forgery).

23 Section 4104 (relating to tampering with records or
24 identification).

25 Section 4113 (relating to misapplication of entrusted
26 property and property of government or financial institutions)
27 when the criminal culpability reaches the level of misdemeanor
28 of the second degree.

29 Section 4701 (relating to bribery in official and political
30 matters).

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

3 Section 4902 (relating to perjury).

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

5 Section 4904 (relating to unsworn falsification to
6 authorities).

7 Section 4906 (relating to false reports to law enforcement
8 authorities).

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

10 Section 4910 (relating to tampering with or fabricating
11 physical evidence).

12 Section 4911 (relating to tampering with public records or
13 information).

14 Section 4952 (relating to intimidation of witnesses or
15 victims).

16 Section 4953 (relating to retaliation against witness, victim
17 or party).

18 Section 5101 (relating to obstructing administration of law
19 or other governmental function).

20 Section 5301 (relating to official oppression).

21 Section 5302 (relating to speculating or wagering on official
22 action or information).

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

25 In addition to the foregoing specific crimes, the term also
26 includes all criminal offenses as set forth in Federal law
27 substantially the same as the crimes enumerated herein.

28 * * *

29 Section 2. The amendment of the definition of "crimes
30 related to public office or public employment" in section 2 of

1 the act shall apply to crimes related to public office or public
2 employment committed on or after the effective date of this
3 section.

4 Section 3. This act shall take effect immediately.