

STATE OF NEW YORK

5901

2019-2020 Regular Sessions

IN SENATE

May 16, 2019

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, the education law and the administrative code of the city of New York, in relation to providing cost-of-living adjustments

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision g of section 78-a of the retirement and social
2 security law, as added by chapter 125 of the laws of 2000, is amended to
3 read as follows:

4 g. Notwithstanding any other provision of law, effective the first day
5 of September, two thousand twenty, the surviving spouse of a deceased
6 retired member who retired under an option which provides that benefits
7 are to be continued for life to the surviving spouse after the death of
8 the retired member, shall be entitled to receive benefits pursuant to
9 this section. Said benefits shall be [~~fifty~~] one hundred percent of the
10 monthly benefits which the pensioner would be receiving pursuant to this
11 section if living, and shall commence (i) with a payment for the month
12 of September, two thousand twenty, or (ii) the month following the death
13 of the deceased retired member, whichever is later.

14 § 2. Subdivision g of section 378-a of the retirement and social secu-
15 rity law, as added by chapter 125 of the laws of 2000, is amended to
16 read as follows:

17 g. Notwithstanding any other provision of law, effective the first day
18 of September, two thousand twenty, the surviving spouse of a deceased
19 retired member who retired under an option which provides that benefits
20 are to be continued for life to the surviving spouse after the death of
21 the retired member, shall be entitled to receive benefits pursuant to
22 this section. Said benefits shall be [~~fifty~~] one hundred percent of the
23 monthly benefits which the pensioner would be receiving pursuant to this
24 section if living, and shall commence (i) with a payment for the month

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[~~-~~] is old law to be omitted.

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1 of September, two thousand twenty, or (ii) the month following the death
2 of the deceased retired member, whichever is later.

3 § 3. Subdivision g of section 532-a of the education law, as added by
4 chapter 125 of the laws of 2000, is amended to read as follows:

5 g. Notwithstanding any other provision of law, effective the first day
6 of September, two thousand twenty, the surviving spouse of a deceased
7 retired member who retired under an option which provides that benefits
8 are to be continued for life to the surviving spouse after the death of
9 the retired member, shall be entitled to receive benefits pursuant to
10 this section. Said benefits shall be [~~fifty~~] one hundred percent of the
11 monthly benefits which the pensioner would be receiving pursuant to this
12 section if living, and shall commence (i) with a payment for the month
13 of September, two thousand twenty, or (ii) the month following the death
14 of the deceased retired member, whichever is later.

15 § 4. Subdivision g of section 13-696 of the administrative code of the
16 city of New York, as added by chapter 125 of the laws of 2000, is
17 amended to read as follows:

18 g. Notwithstanding any other provision of law, effective the first day
19 of September, two thousand twenty, the surviving spouse of a deceased
20 retired member of the New York city employees' retirement system, the
21 New York city teachers' retirement system, the New York city police
22 pension fund, the New York city fire department pension fund or the New
23 York city board of education retirement system who retired under an
24 option which provides that benefits are to be continued for life to the
25 surviving spouse after the death of the member, shall be entitled to
26 receive a benefit pursuant to this section. Said benefit shall be
27 [~~fifty~~] one hundred percent of the monthly benefit which the pensioner
28 would be receiving if living, and shall commence (i) with a payment for
29 the month of September, two thousand twenty, or (ii) the month following
30 the death of the deceased retired member, whichever is later.

31 § 5. This act shall take effect immediately.