

STATE OF NEW YORK

6060

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, in relation to death benefits for certain members employed by Nassau, Suffolk or Westchester county

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

1 Section 1. The retirement and social security law is amended by adding
2 a new section 508-b to read as follows:

3 § 508-b. Death benefits for certain members employed by Nassau county,
4 Suffolk county or Westchester county. 1. As used in this section, the
5 following terms shall have the following meanings:

6 (a) "Nassau county employee" shall mean a correction officer,
7 uniformed correction division personnel, sheriff, undersheriff or deputy
8 sheriff, as defined in section eighty-nine-g of this chapter.

9 (b) "Suffolk county employee" shall mean any warden, deputy warden,
10 correction captain, correction lieutenant, correction lieutenant inves-
11 tigator, correction sergeant, correction sergeant investigator,
12 correction investigator or correction officer who is employed by Suffolk
13 county.

14 (c) "Westchester county employee" shall mean a sheriff, deputy sher-
15 iff, undersheriff, correction officer, correction officer-sergeant,
16 correction officer-captain, assistant warden, associate warden or warden
17 who is employed by Westchester county and in a plan that allows for
18 immediate retirement upon the completion of a specified period of
19 service without regard to age.

20 2. Notwithstanding any provision of law to the contrary, where a
21 Nassau county employee, Suffolk county employee or Westchester county
22 employee would have been entitled to a service retirement benefit at the
23 time of his or her death and where his or her death occurs on or after
24 the effective date of this section, the beneficiary or beneficiaries may

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

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1 elect to receive, in a lump sum, an amount payable which shall be equal
2 to the pension reserve that would have been established had the member
3 retired on the date of his or her death, or the value of the death bene-
4 fit and the reserve-for-increased-take-home-pay, if any, whichever is
5 greater.

6 § 2. The retirement and social security law is amended by adding a new
7 section 606-b to read as follows:

8 § 606-b. Death benefits for certain members employed by Nassau county,
9 Suffolk county or Westchester county. 1. As used in this section, the
10 following terms shall have the following meanings:

11 (a) "Nassau county employee" shall mean a correction officer,
12 uniformed correction division personnel, sheriff, undersheriff or deputy
13 sheriff, as defined in section eighty-nine-g of this chapter.

14 (b) "Suffolk county employee" shall mean any warden, deputy warden,
15 correction captain, correction lieutenant, correction lieutenant inves-
16 tigator, correction sergeant, correction sergeant investigator,
17 correction investigator or correction officer who is employed by Suffolk
18 county.

19 (c) "Westchester county employee" shall mean a sheriff, deputy sher-
20 iff, undersheriff, correction officer, correction officer-sergeant,
21 correction officer-captain, assistant warden, associate warden or warden
22 who is employed by Westchester county and in a plan that allows for
23 immediate retirement upon the completion of a specified period of
24 service without regard to age.

25 2. Notwithstanding any provision of law to the contrary, where a
26 Nassau county employee, Suffolk county employee or Westchester county
27 employee would have been entitled to a service retirement benefit at the
28 time of his or her death and where his or her death occurs on or after
29 the effective date of this section, the beneficiary or beneficiaries may
30 elect to receive, in a lump sum, an amount payable which shall be equal
31 to the pension reserve that would have been established had the member
32 retired on the date of his or her death, or the value of the death bene-
33 fit and the reserve-for-increased-take-home-pay, if any, whichever is
34 greater.

35 § 3. Notwithstanding any other provision of law to the contrary, none
36 of the provisions of this act shall be subject to the appropriation
37 requirement of section 25 of the retirement and social security law.

38 § 4. All past service costs associated with this act shall be paid by
39 the counties of Nassau, Suffolk and Westchester.

40 § 5. This act shall take effect immediately.