

STATE OF NEW YORK

9091

IN SENATE

May 9, 2022

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to special accidental death benefits for certain deceased paid employees of the city of New York or the New York city health and hospitals corporation

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

1 Section 1. Subdivision a of section 208-f of the general municipal
2 law, as amended by chapter 457 of the laws of 2017, is amended to read
3 as follows:

4 a. Notwithstanding any other provision of law, the special accidental
5 death benefit provided by this section shall be paid to the widow or
6 widower or the deceased member's children under the age of eighteen, or,
7 if a student under the age of twenty-three, if the widow or widower has
8 died of: (i) a deceased member of a pension or retirement system of a
9 police department or paid fire department of a city, town or village;
10 (ii) a deceased paid member of the police force of the police department
11 of the New York city transit authority; (iii) a deceased paid member of
12 the police force of the police department of the New York city housing
13 authority; (iv) a deceased paid member of the uniformed correction force
14 of the New York city department of correction; (v) a deceased paid
15 uniformed member of a county sheriff's department (outside the city of
16 New York); (vi) a deceased employee of the city of New York or the New
17 York city health and hospitals corporation in a title whose duties are
18 those of an emergency medical technician or advanced emergency medical
19 technician (as those terms are defined in section three thousand one of
20 the public health law), or in a title whose duties require the super-
21 vision of employees whose duties are those of an emergency medical tech-
22 nician or advanced emergency medical technician (as those terms are
23 defined in section three thousand one of the public health law); (vii) a
24 deceased paid bridge and tunnel member of the New York city employees'
25 retirement system; ~~[or]~~ (viii) a deceased paid member of the uniformed
26 force of the New York city department of sanitation; or (ix) a deceased
27 paid employee, whether full-time, part-time, hourly, or per diem, of the

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

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1 city of New York or the New York city health and hospitals corporation
2 in a title whose duties are to provide medical, behavioral health,
3 dental, or other health-related services, including but not limited to,
4 any deceased paid employee in a title whose duties were to provide
5 medical, behavioral health, dental, or other health-related services for
6 correctional health services, a mayoral agency, or department of the
7 city of New York, whether employed by the New York city health and
8 hospitals corporation or subcontractors or affiliates thereof, the city
9 of New York, the Metropolitan Transportation Authority, or the New York
10 City Transit Authority, providing the widow or widower is ineligible to
11 receive benefits pursuant to section three hundred sixty-one-a of the
12 retirement and social security law as amended by chapter seven hundred
13 thirty-three of the laws of nineteen hundred ninety and the deceased
14 member:

15 1. Died before the effective date of his or her retirement, as the
16 natural and proximate result of an accident sustained in the performance
17 of duty in the service upon which his or her membership was based, and

18 2. Did not cause such accident by his or her own willful negligence,
19 and

20 3. At the time of such accident was actually a member of: (i) a
21 pension or retirement system of a police department or paid fire depart-
22 ment of a city, town or village; (ii) a pension or retirement system
23 covering the police force of the police department of the New York city
24 transit authority; (iii) a pension or retirement system covering the
25 police force of the police department of the New York city housing
26 authority; (iv) a pension or retirement system covering the uniformed
27 correction force of the New York city department of correction; (v) a
28 pension or retirement system covering uniformed members of a county
29 sheriff's department (outside the city of New York); (vi) a pension or
30 retirement system covering employees of the city of New York, or the New
31 York city health and hospitals corporation in a title whose duties are
32 those of an emergency medical technician or advanced emergency medical
33 technician (as those terms are defined in section three thousand one of
34 the public health law), or in a title whose duties require the super-
35 vision of employees whose duties are those of an emergency medical tech-
36 nician or advanced emergency medical technician (as those terms are
37 defined in section three thousand one of the public health law); (vii) a
38 pension or retirement system covering paid bridge and tunnel members of
39 the New York city employees' retirement system; ~~[or]~~ (viii) a pension or
40 retirement system covering paid members of the uniformed force of the
41 New York city department of sanitation; or (ix) a pension or retirement
42 system covering paid members of the New York city health and hospitals
43 corporation.

44 § 2. This act shall take effect immediately.