

STATE OF NEW YORK

8142

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sen. JACKSON -- 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 and the general municipal law, in relation to accidental disability benefits for certain deputy sheriff members in the sheriff's department of a city with a population of one million or more

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 607-m to read as follows:

3 § 607-m. Performance of duty disability retirement. a. Any member of
4 the New York city employees' retirement system who is employed by the
5 city of New York as a deputy sheriff, and who becomes physically or
6 mentally incapacitated as the natural and proximate result of an injury,
7 as described in subdivision b of this section, sustained in the perform-
8 ance or discharge of such member's duties, shall be paid a performance
9 of duty disability retirement allowance equal to three-quarters of final
10 average salary, subject to section 13-176 of the administrative code of
11 the city of New York.

12 b. Notwithstanding any provision of this chapter or of any general or
13 special law to the contrary, for purposes of this section, a member
14 covered by this section is injured when such member contracts HIV (where
15 the member may have been exposed to a bodily fluid of a person under
16 such member's care or treatment, or while such member examined, trans-
17 ported or otherwise had contact with such person, in the performance of
18 such member's duties), tuberculosis or hepatitis, will be presumed to
19 have contracted such disease in the performance or discharge of such
20 member's duties, unless the contrary be proved by competent evidence.

21 § 2. The general municipal law is amended by adding a new section
22 207-r to read as follows:

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

LBD10889-03-5

1 § 207-r. Performance of duty disability retirement; New York city
2 deputy sheriffs. Notwithstanding the provisions of any general, special
3 or local law or administrative code to the contrary, a member who is a
4 deputy sheriff in the sheriff's department of a city with a population
5 of one million or more where such employees are drawn from competitive
6 civil service lists and who in performance of such member's duties
7 contracts human immunodeficiency virus (HIV) (where such member may have
8 been exposed to a bodily fluid of a person under such member's care or
9 treatment, or while such member examined, transported, rescued or other-
10 wise had contact with such person, in the performance of such member's
11 duties), tuberculosis or hepatitis shall be presumed to have contracted
12 such disease as a natural and proximate result of an accidental injury
13 received in the performance or discharge of such member's duties, and
14 not resulting from such member's willful negligence, unless the contrary
15 be proved by competent evidence.

16 § 3. This act shall take effect immediately.