S T A T E O F N E W Y O R K

S. 5792 A. 8745

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

June 5, 2009

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Governmental Employees

AN ACT in relation to providing the rights and duties accorded a correction officer who is injured and dies in the line of duty to Andrew Reister

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The legislature finds and determines that on August 7, 2008 in the town of Southampton, county of Suffolk, Suffolk county correction officer Andrew Reister was injured and died as a result of an accident while he was acting according to his training as a peace officer in the state of New York and in the best interests of the public safety of the people of this state.

S 2. Notwithstanding any other provision of law, Suffolk county correction officer Andrew Reister shall be deemed to have been injured and died while acting in the performance of his duties as a Suffolk county correction officer and shall be entitled to all of the rights and benefits accorded such an officer who is injured and dies in the line of duty.

S 3. An application for a disability benefit and an option election form may be filed by the personal representative of Andrew Reister on or after the effective date of this act and such application shall be deemed to have been timely filed.

S 4. Any costs associated with this act shall be borne by the county of Suffolk.

S 5. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50: This bill would deem deceased correction officer Andrew Reister to have been

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

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injured and died while acting in the performance of his duties as a Suffolk County correction officer. In addition it will authorize a representative to file an application for a disability benefit and an option election form which will be deemed to have been filed in a timely manner.

If this bill is enacted there will be an immediate past service cost of approximately $432,000 which will be borne by Suffolk County as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2010.

This estimate, dated May 18, 2009 and intended for use only during the 2009 Legislative Session, is Fiscal Note No. 2009-253, prepared by the Actuary for the New York State and Local Employees Retirement System.