

5239

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

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

AN ACT to amend the general municipal law, in relation to providing a special accidental death benefit to deputy sheriff members of the New York city employees' retirement system

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 separately amended by chapters 583 and 742 of the laws of 2004,
3 is amended to read 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 OR NEW YORK CITY sheriff's department
16 [(outside the city of New York)]; or (vi) a deceased employee of the
17 city of New York or the New York city health and hospitals corporation
18 in a title whose duties are those of an emergency medical technician or
19 advanced emergency medical technician (as those terms are defined in
20 section three thousand one of the public health law), or in a title
21 whose duties require the supervision of employees whose duties are those
22 of an emergency medical technician or advanced emergency medical techni-
23 cian (as those terms are defined in section three thousand one of the
24 public health law); or (vi) a deceased paid bridge and tunnel member of

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

LBD10380-01-9

1 the New York city employees' retirement system, providing the widow or
2 widower is ineligible to receive benefits pursuant to section three
3 hundred sixty-one-a of the retirement and social security law as [added]
4 AMENDED by chapter [four hundred seventy-two] SEVEN HUNDRED THIRTY-THREE
5 of the laws of nineteen hundred [seventy-eight] NINETY and the deceased
6 member:

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

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

12 3. At the time of such accident was actually a member of: (i) a
13 pension or retirement system of a police department or paid fire depart-
14 ment of a city, town or village; (ii) a pension or retirement system
15 covering the police force of the police department of the New York city
16 transit authority; (iii) a pension or retirement system covering the
17 police force of the police department of the New York city housing
18 authority; (iv) a pension or retirement system covering the uniformed
19 correction force of the New York city department of correction; (v) a
20 pension or retirement system covering uniformed members of a county OR
21 NEW YORK CITY sheriff's department [(outside the city of New York)]; or
22 (vi) a pension or retirement system covering employees of the city of
23 New York, or the New York city health and hospitals corporation in a
24 title whose duties are those of an emergency medical technician or
25 advanced emergency medical technician (as those terms are defined in
26 section three thousand one of the public health law), or in a title
27 whose duties require the supervision of employees whose duties are those
28 of an emergency medical technician or advanced emergency medical techni-
29 cian (as those terms are defined in section three thousand one of the
30 public health law); or (vi) a pension or retirement system covering paid
31 bridge and tunnel members of the New York city employees' retirement
32 system.

33 S 2. This act shall take effect immediately.