

5631

2009-2010 Regular Sessions

I N S E N A T E

May 22, 2009

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

AN ACT to amend the administrative code of the city of New York, in relation to the effect of discharge or dismissal of a police officer or firefighter with five years of creditable retirement service

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

- 1 Section 1. The administrative code of the city of New York is amended
2 by adding a new section 13-256.1 to read as follows:
3 S 13-256.1 DISCHARGE OR DISMISSAL. NOTWITHSTANDING ANY OTHER PROVISION
4 OF LAW, WHEN A MEMBER HAS ATTAINED AT LEAST FIVE YEARS OF CREDITABLE
5 POLICE SERVICE IN THE RETIREMENT SYSTEM, THE DISCHARGE OR DISMISSAL FROM
6 EMPLOYMENT OF SUCH PERSON SHALL NOT PRECLUDE SUCH PERSON FROM RECEIVING
7 ANY RIGHTS OR BENEFITS TO WHICH HE OR SHE SHALL OTHERWISE BE ENTITLED AS
8 A MEMBER OR RETIRED MEMBER OF THE RETIREMENT SYSTEM NOR UPON RETIREMENT
9 SHALL HIS OR HER BENEFITS BE IN ANY WAY DIMINISHED AS A RESULT OF SUCH
10 DISCHARGE OR DISMISSAL.
11 S 2. The administrative code of the city of New York is amended by
12 adding a new section 13-361.1 to read as follows:
13 S 13-361.1 DISCHARGE OR DISMISSAL. NOTWITHSTANDING ANY OTHER PROVISION
14 OF LAW, WHEN A MEMBER HAS ATTAINED AT LEAST FIVE YEARS OF CREDITABLE
15 FIRE UNIFORMED FORCE SERVICE IN THE RETIREMENT SYSTEM, THE DISCHARGE OR
16 DISMISSAL FROM EMPLOYMENT OF SUCH PERSON SHALL NOT PRECLUDE SUCH PERSON
17 FROM RECEIVING ANY RIGHTS OR BENEFITS TO WHICH HE OR SHE SHALL OTHERWISE
18 BE ENTITLED AS A MEMBER OR RETIRED MEMBER OF THE RETIREMENT SYSTEM NOR
19 UPON RETIREMENT SHALL HIS OR HER BENEFITS BE IN ANY WAY DIMINISHED AS A
20 RESULT OF SUCH DISCHARGE OR DISMISSAL.
21 S 3. This act shall take effect immediately.

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

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