

2009-2010 Regular Sessions

I N S E N A T E

January 9, 2009

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

AN ACT to amend the administrative code of the city of New York, in relation to extending the benefits of the variable supplements fund to all New York city police officers, firefighters, housing police, transit police and registered domestic partners

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

- 1 Section 1. Section 13-271 of the administrative code of the city of
2 New York is amended by adding a new subdivision f to read as follows:
3 F. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS
4 SUBCHAPTER SHALL APPLY TO ALL POLICE OFFICERS WHO, PRIOR TO THE EFFEC-
5 TIVE DATE OF THIS SUBDIVISION, WERE INELIGIBLE FOR THE BENEFITS SET
6 FORTH IN THIS SUBCHAPTER, INCLUDING ALL DISABLED NEW YORK CITY POLICE
7 OFFICERS, LINE OF DUTY WIDOWS AND WIDOWERS, REGISTERED DOMESTIC PARTNERS
8 AND ALL OTHER NEW YORK CITY POLICE OFFICERS WHO RECEIVE BENEFITS FROM
9 THE NEW YORK CITY POLICE PENSION FUND. ALL SUCH POLICE OFFICER RETI-
10 REES, WIDOWS AND WIDOWERS AND REGISTERED DOMESTIC PARTNERS SHALL BE
11 ELIGIBLE AND ARE HEREBY GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN
12 THIS SUBCHAPTER PURSUANT TO THE SCHEDULE SET FORTH IN SUBPARAGRAPH (I)
13 OF PARAGRAPH SEVEN OF SUBDIVISION A OF THIS SECTION FROM THE EFFECTIVE
14 DATE OF THIS SUBDIVISION. HOWEVER, NOTHING IN THIS SUBDIVISION SHALL
15 SERVE TO CAUSE A REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO ANY
16 POLICE OFFICER OR THEIR BENEFICIARY WHO WAS ELIGIBLE FOR THE BENEFIT
17 PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION.
18 S 2. Section 13-281 of the administrative code of the city of New York
19 is amended by adding a new subdivision f to read as follows:
20 F. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS
21 SUBCHAPTER SHALL APPLY TO ALL POLICE OFFICERS WHO, PRIOR TO THE EFFEC-
22 TIVE DATE OF THIS SUBDIVISION, WERE INELIGIBLE FOR THE BENEFITS SET
23 FORTH IN THIS SUBCHAPTER, INCLUDING ALL DISABLED NEW YORK CITY POLICE

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

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1 OFFICERS, LINE OF DUTY WIDOWS AND WIDOWERS, REGISTERED DOMESTIC PARTNERS
2 AND ALL OTHER RETIRED NEW YORK CITY POLICE OFFICERS WHO RECEIVE BENEFITS
3 FROM THE NEW YORK CITY POLICE PENSION FUND. ALL SUCH RETIRED POLICE
4 OFFICERS, WIDOWS AND WIDOWERS AND REGISTERED DOMESTIC PARTNERS SHALL BE
5 ELIGIBLE AND ARE HEREBY GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN
6 THIS SUBCHAPTER PURSUANT TO THE SCHEDULE SET FORTH IN SUBPARAGRAPH (I)
7 OF PARAGRAPH TWO OF SUBDIVISION A OF THIS SECTION FROM THE EFFECTIVE
8 DATE OF THIS SUBDIVISION. HOWEVER, NOTHING IN THIS SUBDIVISION SHALL
9 SERVE TO CAUSE A REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO ANY
10 POLICE OFFICER OR THEIR BENEFICIARY WHO WAS ELIGIBLE FOR THE BENEFIT
11 PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION.

12 S 3. Section 13-385 of the administrative code of the city of New York
13 is amended by adding a new subdivision i to read as follows:

14 I. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS
15 SUBCHAPTER SHALL APPLY TO ALL FIREFIGHTERS WHO, PRIOR TO THE EFFECTIVE
16 DATE OF THIS SUBDIVISION, WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN
17 THIS SUBCHAPTER, INCLUDING ALL DISABLED NEW YORK CITY FIREFIGHTERS, LINE
18 OF DUTY WIDOWS AND WIDOWERS, REGISTERED DOMESTIC PARTNERS AND ALL OTHER
19 RETIRED FIREFIGHTERS WHO RECEIVE BENEFITS FROM THE NEW YORK CITY FIRE-
20 FIGHTERS PENSION FUND. ALL SUCH FIREFIGHTERS, WIDOWS AND WIDOWERS,
21 REGISTERED DOMESTIC PARTNERS AND RETIREES SHALL BE ELIGIBLE AND ARE
22 HEREBY GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN THIS SUBCHAPTER
23 PURSUANT TO THE SCHEDULE SET FORTH IN SUBPARAGRAPH (I) OF PARAGRAPH TEN
24 OF SUBDIVISION A OF THIS SECTION FROM THE EFFECTIVE DATE OF THIS SUBDI-
25 VISION. HOWEVER, NOTHING IN THIS SUBDIVISION SHALL SERVE TO CAUSE A
26 REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO ANY FIREFIGHTER OR THEIR
27 BENEFICIARY WHO WAS ELIGIBLE FOR THE BENEFIT PRIOR TO THE EFFECTIVE DATE
28 OF THIS SUBDIVISION.

29 S 4. Section 13-395 of the administrative code of the city of New York
30 is amended by adding a new subdivision f to read as follows:

31 F. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS
32 SUBCHAPTER SHALL APPLY TO ALL FIREFIGHTERS WHO, PRIOR TO THE EFFECTIVE
33 DATE OF THIS SUBDIVISION, WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN
34 THIS SUBCHAPTER, INCLUDING ALL DISABLED NEW YORK CITY FIREFIGHTERS, LINE
35 OF DUTY WIDOWS AND WIDOWERS, REGISTERED DOMESTIC PARTNERS AND ALL OTHER
36 FIREFIGHTERS WHO RECEIVE A BENEFIT FROM THE NEW YORK CITY FIREFIGHTERS
37 PENSION FUND. ALL SUCH FIREFIGHTERS, WIDOWS AND WIDOWERS, REGISTERED
38 DOMESTIC PARTNERS AND RETIREES SHALL BE ELIGIBLE AND ARE HEREBY GRANTED
39 ALL RIGHTS AND BENEFITS SET FORTH IN THIS SUBCHAPTER PURSUANT TO THE
40 SCHEDULE SET FORTH IN SUBPARAGRAPH (I) OF PARAGRAPH TWO OF SUBDIVISION A
41 OF THIS SECTION FROM THE EFFECTIVE DATE OF THIS SUBDIVISION. HOWEVER,
42 NOTHING IN THIS SUBDIVISION SHALL SERVE TO CAUSE A REDUCTION IN THE
43 VARIABLE SUPPLEMENT PAYMENT TO ANY FIREFIGHTER OR THEIR BENEFICIARY WHO
44 WAS ELIGIBLE FOR THE BENEFIT PRIOR TO THE EFFECTIVE DATE OF THIS SUBDI-
45 VISION.

46 S 5. Subdivision 4 of section 13-191 of the administrative code of the
47 city of New York, as added by chapter 844 of the laws of 1987, is
48 amended by adding a new paragraph (i) to read as follows:

49 (I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS
50 SECTION SHALL APPLY TO ALL TRANSIT POLICE MEMBERS WHO RETIRED AS TRANSIT
51 POLICE OFFICERS, WHO, PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH,
52 WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN THIS SECTION, INCLUDING
53 ALL DISABLED TRANSIT POLICE MEMBERS, LINE OF DUTY WIDOWS AND WIDOWERS,
54 REGISTERED DOMESTIC PARTNERS AND ALL OTHER TRANSIT POLICE MEMBERS WHO
55 RETIRED AS TRANSIT POLICE OFFICERS AND WHO RECEIVE BENEFITS FROM THE NEW
56 YORK CITY EMPLOYEES' RETIREMENT SYSTEM. ALL SUCH TRANSIT POLICE OFFICER

1 RETIREES, WIDOWS AND WIDOWERS AND REGISTERED DOMESTIC PARTNERS SHALL BE
2 ELIGIBLE AND ARE HEREBY GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN
3 THIS SECTION PURSUANT TO THE SCHEDULE SET FORTH IN SUBPARAGRAPH ONE OF
4 PARAGRAPH (C) OF THIS SUBDIVISION, FROM THE EFFECTIVE DATE OF THIS PARA-
5 GRAPH. HOWEVER, NOTHING IN THIS PARAGRAPH SHALL SERVE TO CAUSE A
6 REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO ANY TRANSIT POLICE OFFI-
7 CER OR THEIR BENEFICIARY WHO WAS ELIGIBLE FOR THE BENEFIT PRIOR TO THE
8 EFFECTIVE DATE OF THIS PARAGRAPH.

9 S 6. Subdivision 4 of section 13-191 of the administrative code of the
10 city of New York, as added by chapter 846 of the laws of 1987, is
11 amended by adding a new paragraph (i) to read as follows:

12 (I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS
13 SECTION SHALL APPLY TO ALL HOUSING POLICE MEMBERS WHO RETIRED AS HOUSING
14 POLICE OFFICERS, WHO, PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH,
15 WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN THIS SECTION, INCLUDING
16 ALL DISABLED HOUSING POLICE MEMBERS, LINE OF DUTY WIDOWS AND WIDOWERS,
17 REGISTERED DOMESTIC PARTNERS AND ALL OTHER HOUSING POLICE MEMBERS WHO
18 RETIRED AS HOUSING POLICE OFFICERS AND WHO RECEIVE BENEFITS FROM THE NEW
19 YORK CITY EMPLOYEES' RETIREMENT SYSTEM. ALL SUCH HOUSING POLICE OFFICER
20 RETIREES, WIDOWS AND WIDOWERS AND REGISTERED DOMESTIC PARTNERS SHALL BE
21 ELIGIBLE AND ARE HEREBY GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN
22 THIS SECTION PURSUANT TO THE SCHEDULE SET FORTH IN SUBPARAGRAPH ONE OF
23 PARAGRAPH (C) OF THIS SUBDIVISION, FROM THE EFFECTIVE DATE OF THIS PARA-
24 GRAPH. HOWEVER, NOTHING IN THIS PARAGRAPH SHALL SERVE TO CAUSE A
25 REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO ANY HOUSING POLICE OFFI-
26 CER OR THEIR BENEFICIARY WHO WAS ELIGIBLE FOR THE BENEFIT PRIOR TO THE
27 EFFECTIVE DATE OF THIS PARAGRAPH.

28 S 7. Subdivision 4 of section 13-192 of the administrative code of the
29 city of New York, as added by chapter 844 of the laws of 1987, is
30 amended by adding a new paragraph (h) to read as follows:

31 (H) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS
32 SECTION SHALL APPLY TO ALL TRANSIT POLICE MEMBERS WHO RETIRED AS TRANSIT
33 POLICE SUPERIOR OFFICERS, WHO, PRIOR TO THE EFFECTIVE DATE OF THIS PARA-
34 GRAPH, WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN THIS SECTION,
35 INCLUDING ALL DISABLED TRANSIT POLICE MEMBERS, LINE OF DUTY WIDOWS AND
36 WIDOWERS, REGISTERED DOMESTIC PARTNERS AND ALL OTHER TRANSIT POLICE
37 MEMBERS WHO RETIRED AS TRANSIT POLICE SUPERIOR OFFICERS AND WHO RECEIVE
38 BENEFITS FROM THE NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM. ALL SUCH
39 TRANSIT POLICE SUPERIOR OFFICER RETIREES, WIDOWS AND WIDOWERS AND REGIS-
40 TERED DOMESTIC PARTNERS SHALL BE ELIGIBLE AND ARE HEREBY GRANTED ALL
41 RIGHTS AND BENEFITS SET FORTH IN THIS SECTION PURSUANT TO THE SCHEDULE
42 SET FORTH IN SUBPARAGRAPH ONE OF PARAGRAPH (C) OF THIS SUBDIVISION, FROM
43 THE EFFECTIVE DATE OF THIS PARAGRAPH. HOWEVER, NOTHING IN THIS PARAGRAPH
44 SHALL SERVE TO CAUSE A REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO
45 ANY TRANSIT SUPERIOR POLICE OFFICER OR THEIR BENEFICIARY WHO WAS ELIGI-
46 BLE FOR THE BENEFIT PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH.

47 S 8. Subdivision 4 of section 13-192 of the administrative code of the
48 city of New York, as added by chapter 846 of the laws of 1987, is
49 amended by adding a new paragraph (h) to read as follows:

50 (H) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS
51 SECTION SHALL APPLY TO ALL HOUSING POLICE MEMBERS WHO RETIRED AS HOUSING
52 POLICE SUPERIOR OFFICERS, WHO, PRIOR TO THE EFFECTIVE DATE OF THIS PARA-
53 GRAPH, WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN THIS SECTION,
54 INCLUDING ALL DISABLED HOUSING POLICE MEMBERS, LINE OF DUTY WIDOWS AND
55 WIDOWERS, REGISTERED DOMESTIC PARTNERS AND ALL OTHER HOUSING POLICE
56 MEMBERS WHO RETIRED AS HOUSING POLICE SUPERIOR OFFICERS AND WHO RECEIVE

1 BENEFITS FROM THE NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM. ALL SUCH
2 HOUSING POLICE SUPERIOR OFFICER RETIREES, WIDOWS AND WIDOWERS AND REGIS-
3 TERED DOMESTIC PARTNERS SHALL BE ELIGIBLE AND ARE HEREBY GRANTED ALL
4 RIGHTS AND BENEFITS SET FORTH IN THIS SECTION PURSUANT TO THE SCHEDULE
5 SET FORTH IN SUBPARAGRAPH ONE OF PARAGRAPH (C) OF THIS SUBDIVISION, FROM
6 THE EFFECTIVE DATE OF THIS PARAGRAPH. HOWEVER, NOTHING IN THIS PARAGRAPH
7 SHALL SERVE TO CAUSE A REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO
8 ANY HOUSING POLICE SUPERIOR OFFICER OR THEIR BENEFICIARY WHO WAS ELIGI-
9 BLE FOR THE BENEFIT PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH.
10 S 9. This act shall take effect immediately.