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

8344--A

2009-2010 Regular Sessions

I N  A S S E M B L Y

May 15, 2009

Introduced by M. of A. TITONE -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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, correction officers and registered domestic partners

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

Section 1. Section 13-271 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

F. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS SUBCHAPTER SHALL APPLY TO ALL POLICE OFFICERS WHO, PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION, WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN THIS SUBCHAPTER, INCLUDING ALL DISABLED NEW YORK CITY POLICE OFFICERS, LINE OF DUTY WIDOWS AND WIDOWERS, REGISTERED DOMESTIC PARTNERS AND ALL OTHER NEW YORK CITY POLICE OFFICERS WHO RECEIVE BENEFITS FROM THE NEW YORK CITY POLICE PENSION FUND. ALL SUCH POLICE OFFICER RETIREES, WIDOWS AND WIDOWERS AND REGISTERED DOMESTIC PARTNERS SHALL BE ELIGIBLE AND ARE HEREBY GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN THIS SUBCHAPTER PURSUANT TO THE SCHEDULE SET FORTH IN SUBPARAGRAPH (I) OF PARAGRAPH SEVEN OF SUBDIVISION A OF THIS SECTION FROM THE EFFECTIVE DATE OF THIS SUBDIVISION. HOWEVER, NOTHING IN THIS SUBDIVISION SHALL SERVE TO CAUSE A REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO ANY POLICE OFFICER OR THEIR BENEFICIARY WHO WAS ELIGIBLE FOR THE BENEFIT PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION.

S 2. Section 13-281 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

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

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F. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS SUBCHAPTER SHALL APPLY TO ALL POLICE OFFICERS WHO, PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION, WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN THIS SUBCHAPTER, INCLUDING ALL DISABLED NEW YORK CITY POLICE OFFICERS, LINE OF DUTY WIDOWS AND WIDOWERS, REGISTERED DOMESTIC PARTNERS AND ALL OTHER RETIRED NEW YORK CITY POLICE OFFICERS WHO RECEIVE BENEFITS FROM THE NEW YORK CITY POLICE PENSION FUND. ALL SUCH RETIRED POLICE OFFICERS, WIDOWS AND WIDOWERS AND REGISTERED DOMESTIC PARTNERS SHALL BE ELIGIBLE AND ARE HEREBY GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN THIS SUBCHAPTER PURSUANT TO THE SCHEDULE SET FORTH IN SUBPARAGRAPH (I) OF PARAGRAPH TWO OF SUBDIVISION A OF THIS SECTION FROM THE EFFECTIVE DATE OF THIS SUBDIVISION. HOWEVER, NOTHING IN THIS SUBDIVISION SHALL SERVE TO CAUSE A REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO ANY POLICE OFFICER OR THEIR BENEFICIARY WHO WAS ELIGIBLE FOR THE BENEFIT PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION.

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

I. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS SUBCHAPTER SHALL APPLY TO ALL FIREFIGHTERS WHO, PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION, WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN THIS SUBCHAPTER, INCLUDING ALL DISABLED NEW YORK CITY FIREFIGHTERS, LINE OF DUTY WIDOWS AND WIDOWERS, REGISTERED DOMESTIC PARTNERS AND ALL OTHER RETIRED FIREFIGHTERS WHO RECEIVE BENEFITS FROM THE NEW YORK CITY FIREFIGHTERS PENSION FUND. ALL SUCH FIREFIGHTERS, WIDOWS AND WIDOWERS, REGISTERED DOMESTIC PARTNERS AND RETIREES SHALL BE ELIGIBLE AND ARE HEREBY GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN THIS SUBCHAPTER PURSUANT TO THE SCHEDULE SET FORTH IN SUBPARAGRAPH (I) OF PARAGRAPH TEN OF SUBDIVISION A OF THIS SECTION FROM THE EFFECTIVE DATE OF THIS SUBDIVISION. HOWEVER, NOTHING IN THIS SUBDIVISION SHALL SERVE TO CAUSE A REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO ANY FIREFIGHTER OR THEIR BENEFICIARY WHO WAS ELIGIBLE FOR THE BENEFIT PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION.

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

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

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

(I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS SECTION SHALL APPLY TO ALL TRANSIT POLICE MEMBERS WHO RETIRED AS TRANSIT POLICE OFFICERS, WHO, PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH, WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN THIS SECTION, INCLUDING

ALL DISABLED TRANSIT POLICE MEMBERS, LINE OF DUTY WIDOWS AND WIDOWERS, REGISTERED DOMESTIC PARTNERS AND ALL OTHER TRANSIT POLICE MEMBERS WHO RETIRED AS TRANSIT POLICE OFFICERS AND WHO RECEIVE BENEFITS FROM THE NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM. ALL SUCH TRANSIT POLICE OFFICER RETIREES, WIDOWS AND WIDOWERS AND REGISTERED DOMESTIC PARTNERS SHALL BE ELIGIBLE AND ARE HEREBY GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN THIS SECTION PURSUANT TO THE SCHEDULE SET FORTH IN SUBPARAGRAPH ONE OF PARAGRAPH (C) OF THIS SUBDIVISION, FROM THE EFFECTIVE DATE OF THIS PARAGRAPH. HOWEVER, NOTHING IN THIS PARAGRAPH SHALL SERVE TO CAUSE A REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO ANY TRANSIT POLICE OFFICER OR THEIR BENEFICIARY WHO WAS ELIGIBLE FOR THE BENEFIT PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH.

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

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

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

(H) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS SECTION SHALL APPLY TO ALL TRANSIT POLICE MEMBERS WHO RETIRED AS TRANSIT POLICE SUPERIOR OFFICERS, WHO, PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH, WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN THIS SECTION, INCLUDING ALL DISABLED TRANSIT POLICE MEMBERS, LINE OF DUTY WIDOWS AND WIDOWERS, REGISTERED DOMESTIC PARTNERS AND ALL OTHER TRANSIT POLICE MEMBERS WHO RETIRED AS TRANSIT POLICE SUPERIOR OFFICERS AND WHO RECEIVE BENEFITS FROM THE NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM. ALL SUCH TRANSIT POLICE SUPERIOR OFFICER RETIREES, WIDOWS AND WIDOWERS AND REGISTERED DOMESTIC PARTNERS SHALL BE ELIGIBLE AND ARE HEREBY GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN THIS SECTION PURSUANT TO THE SCHEDULE SET FORTH IN SUBPARAGRAPH ONE OF PARAGRAPH (C) OF THIS SUBDIVISION, FROM THE EFFECTIVE DATE OF THIS PARAGRAPH. HOWEVER, NOTHING IN THIS PARAGRAPH SHALL SERVE TO CAUSE A REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO ANY TRANSIT SUPERIOR POLICE OFFICER OR THEIR BENEFICIARY WHO WAS ELIGIBLE FOR THE BENEFIT PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH.

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

(H) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS SECTION SHALL APPLY TO ALL HOUSING POLICE MEMBERS WHO RETIRED AS HOUSING POLICE SUPERIOR OFFICERS, WHO, PRIOR TO THE EFFECTIVE DATE OF THIS PARA-

GRAPH, WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN THIS SECTION, INCLUDING ALL DISABLED HOUSING POLICE MEMBERS, LINE OF DUTY WIDOWS AND WIDOWERS, REGISTERED DOMESTIC PARTNERS AND ALL OTHER HOUSING POLICE MEMBERS WHO RETIRED AS HOUSING POLICE SUPERIOR OFFICERS AND WHO RECEIVE BENEFITS FROM THE NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM. ALL SUCH HOUSING POLICE SUPERIOR OFFICER RETIREES, WIDOWS AND WIDOWERS AND REGISTERED DOMESTIC PARTNERS SHALL BE ELIGIBLE AND ARE HEREBY GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN THIS SECTION PURSUANT TO THE SCHEDULE SET FORTH IN SUBPARAGRAPH ONE OF PARAGRAPH (C) OF THIS SUBDIVISION, FROM THE EFFECTIVE DATE OF THIS PARAGRAPH. HOWEVER, NOTHING IN THIS PARAGRAPH SHALL SERVE TO CAUSE A REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO ANY HOUSING POLICE SUPERIOR OFFICER OR THEIR BENEFICIARY WHO WAS ELIGIBLE FOR THE BENEFIT PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH.

S 9. Subdivision 4 of section 13-194 of the administrative code of the city of New York is amended by adding a new paragraph (h) to read as follows:

(H) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS SECTION SHALL APPLY TO ALL CORRECTION OFFICER MEMBERS WHO RETIRED AS CORRECTION OFFICERS, WHO, PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH, WERE INELIGIBLE FOR THE BENEFITS SET FORTH IN THIS SECTION, INCLUDING ALL DISABLED CORRECTION OFFICER MEMBERS, LINE OF DUTY WIDOWS AND WIDOWERS, REGISTERED DOMESTIC PARTNERS AND ALL OTHER CORRECTION OFFICER MEMBERS WHO RETIRED AS CORRECTION OFFICERS AND WHO RECEIVE BENEFITS FROM THE NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM. ALL SUCH CORRECTION OFFICER RETIREES, WIDOWS AND WIDOWERS AND REGISTERED DOMESTIC PARTNERS SHALL BE ELIGIBLE AND ARE HEREBY GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN THIS SECTION PURSUANT TO THE SCHEDULE SET FORTH IN SUBPARAGRAPH ONE OF PARAGRAPH (C) OF THIS SUBDIVISION, FROM THE EFFECTIVE DATE OF THIS PARAGRAPH. HOWEVER, NOTHING IN THIS PARAGRAPH SHALL SERVE TO CAUSE A REDUCTION IN THE VARIABLE SUPPLEMENT PAYMENT TO ANY CORRECTION OFFICER OR THEIR BENEFICIARY WHO WAS ELIGIBLE FOR THE BENEFIT PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH.

S 10. This act shall take effect immediately.