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

3002

2009-2010 Regular Sessions

I N S E N A T E

March 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 allowing the estate of Redmond O'Hanlon to file for an accidental death benefit

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

Section 1. Notwithstanding any provision of the retirement and social security law to the contrary, Redmond O'Hanlon, deceased, who was employed by the Port Authority as a police officer and was a member of the New York state and local police and fire retirement system and who retired on a service retirement effective July 19, 2004 and who participated in the World Trade Center rescue/recovery/clean up and whose death resulted from a disease of the psychological axis enumerated in subdivision g of section 363 of the retirement and social security law and who for reasons not ascribable to his own negligence, failed to file the "World Trade Center Accident Disability Presumption Form", shall be deemed to have filed such form in a timely manner, if on or before December 31, 2009, the wife or representative of his estate files with the state comptroller such form together with a written application for an accidental death benefit requesting conversion of such service retirement benefit to an accidental death benefit and upon doing so shall be eligible for the accidental death benefit established pursuant to section 361 of the retirement and social security law.

S 2. All costs of implementing the provisions of this act shall be borne by the state of New York and all participating employers in the New York state and local police and fire retirement system.

S 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill will allow the wife of Redmond O'Hanlon, a deceased retired police officer who was employed by the Port Authority, to file for an accidental death benefit.

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

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If this bill is enacted, there will be an immediate past service cost of approximately $1.35 million. This cost will be shared by the State of New York and all the participating employers in the New York State and Local Police and Fire Retirement System.

This estimate, dated February 5, 2009, and intended for use only during the 2009 Legislative Session, is Fiscal Note No. 2009-129, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.