

5322

2011-2012 Regular Sessions

I N   A S S E M B L Y

February 15, 2011

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Introduced by M. of A. TITONE -- read once and referred to the Committee  
on Governmental Employees

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, tran-  
sit police, correction officers and registered domestic partners

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, 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 FIRE DEPART-  
20 MENT PENSION FUND. ALL SUCH FIREFIGHTERS, WIDOWS AND WIDOWERS, REGIS-  
21 TERED DOMESTIC PARTNERS AND RETIREES SHALL BE ELIGIBLE AND ARE HEREBY  
22 GRANTED ALL RIGHTS AND BENEFITS SET FORTH IN THIS SUBCHAPTER PURSUANT TO  
23 THE SCHEDULE SET FORTH IN SUBPARAGRAPH (I) OF PARAGRAPH TEN OF SUBDIVI-  
24 SION A OF THIS SECTION FROM THE EFFECTIVE DATE OF THIS SUBDIVISION.  
25 HOWEVER, NOTHING IN THIS SUBDIVISION SHALL SERVE TO CAUSE A REDUCTION IN  
26 THE VARIABLE SUPPLEMENT PAYMENT TO ANY FIREFIGHTER OR THEIR BENEFICIARY  
27 WHO WAS ELIGIBLE FOR THE BENEFIT PRIOR TO THE EFFECTIVE DATE OF THIS  
28 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 FIRE DEPARTMENT  
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. Subdivision 4 of section 13-194 of the administrative code of the  
11 city of New York is amended by adding a new paragraph (h) to read as  
12 follows:

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

29 S 10. This act shall take effect immediately.