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

5744

2011-2012 Regular Sessions

I N A S S E M B L Y

February 28, 2011

Introduced by M. of A. ABBATE -- 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 the effect of discharge or dismissal of a police officer or firefighter with twenty years of creditable retirement service

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

Section 1. The administrative code of the city of New York is amended by adding a new section 13-256.1 to read as follows:

S 13-256.1 DISCHARGE OR DISMISSAL. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WHEN A MEMBER HAS ATTAINED AT LEAST TWENTY YEARS OF CREDITABLE POLICE SERVICE IN THE RETIREMENT SYSTEM, THE DISCHARGE OR DISMISSAL FROM EMPLOYMENT OF SUCH PERSON SHALL NOT PRECLUDE SUCH PERSON FROM RECEIVING ANY RIGHTS OR BENEFITS TO WHICH HE OR SHE SHALL OTHERWISE BE ENTITLED AS A MEMBER OR RETIRED MEMBER OF THE RETIREMENT SYSTEM NOR UPON RETIREMENT SHALL HIS OR HER BENEFITS BE IN ANY WAY DIMINISHED AS A RESULT OF SUCH DISCHARGE OR DISMISSAL.

S 2. The administrative code of the city of New York is amended by adding a new section 13-361.1 to read as follows:

S 13-361.1 DISCHARGE OR DISMISSAL. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WHEN A MEMBER HAS ATTAINED AT LEAST TWENTY YEARS OF CREDITABLE FIRE UNIFORMED FORCE SERVICE IN THE RETIREMENT SYSTEM, THE DISCHARGE OR DISMISSAL FROM EMPLOYMENT OF SUCH PERSON SHALL NOT PRECLUDE SUCH PERSON FROM RECEIVING ANY RIGHTS OR BENEFITS TO WHICH HE OR SHE SHALL OTHERWISE BE ENTITLED AS A MEMBER OR RETIRED MEMBER OF THE RETIREMENT SYSTEM NOR UPON RETIREMENT SHALL HIS OR HER BENEFITS BE IN ANY WAY DIMINISHED AS A RESULT OF SUCH DISCHARGE OR DISMISSAL.

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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