

4936

2013-2014 Regular Sessions

I N S E N A T E

May 1, 2013

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the volunteer firefighters' benefit law, in relation to the expansion of coverage to include neurological cancers; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. The volunteer firefighters' benefit law is amended by
2 adding a new section 11-d to read as follows:
3 S 11-D. CERTAIN IMPAIRMENTS OF HEALTH; PRESUMPTION. NOTWITHSTANDING
4 ANY OTHER PROVISION OF THIS CHAPTER TO THE CONTRARY, ANY CONDITION OF
5 CANCER AFFECTING NEUROLOGICAL SYSTEMS, RESULTING IN TOTAL OR PARTIAL
6 DISABILITY OR DEATH TO A VOLUNTEER FIREFIGHTER, WHO SUCCESSFULLY PASSED
7 A PHYSICAL EXAMINATION ON ENTRY INTO FIREFIGHTER SERVICE, WHICH EXAMINA-
8 TION FAILED TO REVEAL ANY EVIDENCE OF SUCH CONDITION, SHALL BE PRESUMP-
9 TIVE EVIDENCE THAT IT WAS INCURRED IN THE PERFORMANCE AND DISCHARGE OF
10 DUTY UNLESS THE CONTRARY BE PROVEN BY COMPETENT EVIDENCE.
11 S 2. This act shall take effect immediately and shall expire and be
12 deemed repealed June 30, 2017.

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

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