STATE OF NEW YORK

7603

2017-2018 Regular Sessions

IN ASSEMBLY

May 3, 2017

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 providing awards to spouses of emergency medical technicians and advanced emergency medical technicians who are killed while engaged in the discharge of duty

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 3-401 of the administrative code of the city of New York, as amended by local law number 27 of the city of New York for the year 1998 and the closing paragraph as amended by chapter 582 of the laws of 2011, is amended to read as follows:

§ 3-401 Awards to spouses of killed firefighters, police officers [~~and~~], transit police officers, emergency medical technicians and advanced emergency medical technicians. The mayor is authorized and empowered to make an award to the spouse or domestic partner of a member of the uniformed force of the police department, fire department, including emergency medical technicians and advanced emergency medical technicians employed by the fire department, or uniformed transit police force, maintained by the New York city transit authority, killed while engaged in the discharge of duty. Such award shall equal the annual salary of such member at the time of death, but in no case less than the full salary payable to a first grade police officer, firefighter [~~or~~], transit police officer, emergency medical technician or advanced emergency medical technician at the date of death of such employee.

In case there shall be no spouse or domestic partner surviving such member, the award shall be made to the minor child or children surviving such member. In case there shall be no spouse or domestic partner nor child nor children so surviving the award may be made to the dependent mother, father, or other dependents of such member. Such award shall be made in one payment as soon after the death of such member as may be

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

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possible and shall be in addition to any pension, award or other allowances authorized by law.

Notwithstanding any other provision of law to the contrary, and solely for the purposes of this section, a member otherwise covered by this section shall be deemed to have been killed while engaged in the discharge of duty upon which his or her membership is based, provided that such member was in active service upon which his or her membership is based at the time that such member was ordered to active duty pursuant to Title 10 of the United States Code, with the armed forces of the United States or to service in the uniformed services pursuant to Chapter 43 of Title 38 of the United States Code, and such member died while on such active duty or service in the uniformed services on or after June fourteenth, two thousand five while serving on such active military duty or in the uniformed services.

§ 2. This act shall take effect immediately.