# STATE OF NEW YORK

8860

# IN SENATE

July 31, 2020

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the state finance law, in relation to establishing the New York state auxiliary officer death benefit fund

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

Section 1. This act shall be known and may be cited as "Anthony's law".

§ 2. The state finance law is amended by adding a new section 99-ii to read as follows:

**§ 99-ii. New York state auxiliary officer death benefit fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of the department of taxation and finance a special fund to be known as the New York state auxiliary officer death benefit fund. Moneys in this fund shall be kept separate and not commingled with any other moneys in the custody of the comptroller and the commissioner of taxation and finance.**

**2. Such fund shall consist of the moneys transferred thereto by the comptroller pursuant to this section.**

**3. All moneys in the New York state auxiliary officer death benefit fund shall be available, subject to appropriation, for the payment of a death benefit in an amount not to exceed ten thousand dollars to auxiliary officers who died in the line of duty during the state of emergency declared by the governor pursuant to section twenty-nine of the executive law beginning March seventh, two thousand twenty. Such benefit shall be paid to the surviving spouse and children of the auxiliary officer and shall be divided equally between the surviving spouse and each child; provided, however, that if there is no surviving spouse, such benefit shall be paid to the children of the auxiliary officer and shall be divided equally between such children. For the purposes of this section, "auxiliary officer" shall mean a member of an auxiliary police organization authorized by local law.**

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

LBD17035-01-0

**4. All payment of moneys from the New York state auxiliary officer death benefit fund shall be made on the audit and warrant of the state comptroller.**

§ 3. This act shall take effect immediately.