STATE OF NEW YORK

3722

2019-2020 Regular Sessions

IN ASSEMBLY

January 30, 2019

Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Housing

AN ACT to amend the executive law, in relation to establishing the deceased police officer, firefighter and emergency medical services family housing assistance program; to amend the state finance law, in relation to the deceased police officer family housing fund; and making an appropriation therefor

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

Section 1. The executive law is amended by adding a new section 45-a to read as follows:

§ 45-a. Deceased police officer, firefighter and emergency medical services family housing assistance program. 1. For the purposes of this section:

(a) "Deceased public protection employee" means: (1) a police officer, as defined in subdivision thirty-four of section 1.20 of the criminal procedure law who died as the natural and proximate result of the performance of his or her duties as a police officer;

(2) a paid municipal firefighter who died as the natural and proximate result of the performance of his or her duties as a firefighter; or

(3) a paid member of a municipal emergency medical service who died as the natural and proximate result of the performance of his or her duties while providing emergency medical services.

(b) "Department" means the department of audit and control.

(c) "Family" means the spouse and/or any dependent of a deceased public protection employee, when fifty-one or more percent of the income for the support of such spouse and/or dependent was attributable to income earned by the deceased public protection employee while he or she was alive.

(d) "Housing expense" means, the monthly rent paid for the primary residence of the family of a deceased public protection employee, or the monthly payment upon a bond or note secured by a mortgage upon the primary residence of the family of a deceased public protection employee.

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

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2. There shall be established, in the department, the deceased police officer, firefighter and emergency medical services family housing assistance program. The purpose of such program shall be to provide monthly payments to the families of deceased public protection employees for their housing expenses. Provided that:

(a) no such monthly payment to any family of a deceased public protection employee shall exceed one thousand dollars;

(b) such monthly payments to any family of a deceased public protection employee shall not be paid for any period in excess of ten years;

(c) no such monthly payment shall exceed the housing expense of a family of a deceased public protection employee; and

(d) the department shall annually review each such family's eligibility for monthly payments pursuant to this section.

3. A family of a deceased public protection employee seeking monthly payments for its housing expenses pursuant to this section shall submit an application to the department in such form and having such content as shall be determined by the comptroller by rule. The department shall thereafter make a determination upon each application within thirty days of the receipt thereof. In the event of the denial of an application, the department shall provide the applicant with the reason or reasons for such denial in writing.

4. The comptroller shall promulgate and implement such rules and regulations as he or she shall deem to be necessary to implement the provisions of this section.

§ 2. The state finance law is amended by adding a new section 85 to read as follows:

§ 85. Deceased police officer, firefighter and emergency medical services family housing fund. 1. There is hereby established in the custody of the state comptroller a special fund to be known as the "deceased police officer, firefighter and emergency medical services family housing fund".

2. Such fund shall consist of all moneys appropriated, credited or transferred thereto from any other fund or source pursuant to law, and any moneys contributed or donated thereto.

3. The moneys of the fund, following appropriation thereof, shall be expended for the purposes of the deceased police officer, firefighter and emergency medical services family housing assistance program established pursuant to section forty-five-a of the executive law. Moneys of the fund shall be paid out on the audit and warrant of the state comptroller on vouchers certified or approved by him or her.

§ 3. The sum of ten million dollars ($10,000,000), or so much thereof as may be necessary, is hereby appropriated to the deceased police officer, firefighter and emergency medical services family housing fund, established pursuant to section 85 of the state finance law, out of any moneys in the state treasury in the general fund to the credit of the state purposes account, not otherwise appropriated, and made immediately available, for purpose of carrying out the purposes of this act.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.