STATE OF NEW YORK

5246

2019-2020 Regular Sessions

IN SENATE

April 18, 2019

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

AN ACT to amend the general municipal law, in relation to disabilities of certain retired firefighters caused by cancer

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

Section 1. Section 207-kk of the general municipal law, as amended by chapter 531 of the laws of 2003, is amended to read as follows:

§ 207-kk. Disabilities of firefighters in certain cities caused by cancer. Notwithstanding any other provisions of this chapter to the contrary, any condition of impairment of health caused by (i) any condition of cancer affecting the lymphatic, digestive, hematological, urinary, neurological, breast, reproductive, or prostate systems or (ii) melanoma resulting in total or partial disability or death to a paid member of a fire department in a city with a population of one million or more, **or any retired member of such department who has been retired for five or less years,** who successfully passed a physical examination on entry into the service of such department, which examination failed to reveal any evidence of such condition, shall be presumptive evidence that it was incurred in the performance and discharge of duty unless the contrary be proved by competent evidence. The provisions of this section shall remain in full force and effect [~~to and including the thirtieth day of June, two thousand five~~] **pursuant to section four hundred eighty of the retirement and social security law**.

§ 2. The board of trustees of the New York City fire department pension fund shall take appropriate administrative action to implement the intent of section one of this act.

§ 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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