STATE OF NEW YORK

1233

2021-2022 Regular Sessions

IN ASSEMBLY

January 7, 2021

Introduced by M. of A. BUTTENSCHON -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the retirement and social security law, in relation to establishing a dangerous employment benefit for law enforcement officers

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

Section 1. The retirement and social security law is amended by adding a new section 65 to read as follows:

§ 65. Dangerous employment benefit; law enforcement officers. a. Notwithstanding the provisions of any other law to the contrary, every law enforcement officer employed within the state shall receive a five hundred thousand dollar dangerous employment benefit if he or she becomes seriously physically or mentally incapacitated or dies as the result of an injury, sustained in the performance or discharge of duties or as the natural and proximate result of an incident that occurred during such performance of duties.

b. Law enforcement officer shall mean:

1. A sworn member of the division of state police;

2. Sheriffs, under-sheriffs, deputy sheriffs or corrections officers of counties outside of the city of New York;

3. A sworn officer of an authorized county or county parkway police department;

4. A sworn officer of an authorized police department or force of a city, town, village or police district;

5. A sworn officer of an authorized police department of an authority or a sworn officer of the state regional park police in the office of parks and recreation;

6. A sworn officer of the capital police force of the office of general services;

7. An investigator employed in the office of a district attorney;

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

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8. An investigator employed by a commission created by an interstate compact who is, to a substantial extent, engaged in the enforcement of the criminal laws of this state;

9. The chief and deputy fire marshals, the supervising fire marshals and the fire marshals of the bureau of fire investigation of the New York city fire department;

10. A sworn officer of the division of law enforcement in the department of environmental conservation;

11. A sworn officer of a police force of a public authority created by an interstate compact;

12. Long Island railroad police;

13. A special investigator employed in the statewide organized crime task force, while performing his or her assigned duties pursuant to section seventy-a of the executive law;

14. A sworn officer of the Westchester county department of public safety services who, on or prior to June thirtieth, nineteen hundred seventy-nine was appointed as a sworn officer of the division of Westchester county parkway police or who was appointed on or after July first, nineteen hundred seventy-nine to the title of police officer, sergeant, lieutenant, captain or inspector or who, on or prior to January thirty-first, nineteen hundred eighty-three, was appointed as a Westchester county deputy sheriff;

15. A sworn officer of the water-supply police employed by the city of New York, appointed to protect the sources, works, and transmission of water supplied to the city of New York, and to protect persons on or in the vicinity of such water sources, works, and transmission;

16. Persons appointed as railroad police officers pursuant to section eighty-eight of the railroad law;

17. An employee of the department of taxation and finance (i) assigned to enforcement of the taxes imposed under or pursuant to the authority of article twelve-A of the tax law and administered by the commissioner of taxation and finance, taxes imposed under or pursuant to the authority of article eighteen of the tax law and administered by the commissioner, taxes imposed under article twenty of the tax law, or sales or compensating use taxes relating to petroleum products or cigarettes imposed under article twenty-eight or pursuant to the authority of article twenty-nine of the tax law and administered by the commissioner or (ii) designated as a revenue crimes specialist and assigned to the enforcement of the taxes described in paragraph (c) of subdivision four of section 2.10 of the criminal procedure law, for the purpose of applying for and executing search warrants under article six hundred ninety of the criminal procedure law, for the purpose of acting as a claiming agent under article thirteen-A of the civil practice law and rules in connection with the enforcement of the taxes referred to above and for the purpose of executing warrants of arrest relating to the respective crimes specified in subdivision four of section 2.10 of the criminal procedure law;

18. Any employee of the Suffolk county department of parks who is appointed as a Suffolk county park police officer;

19. A university police officer appointed by the state university pursuant to paragraph l of subdivision two of section three hundred fifty-five of the education law;

20. A sworn officer of the department of public safety of the Buffalo municipal housing authority who has achieved or been granted the status of sworn police officer and has been certified by the division of crimi-

nal justice services as successfully completing an approved basic course for police officers;

21. Persons appointed as Indian police officers pursuant to section one hundred fourteen of the Indian law;

22. Supervisor of forest ranger services; assistant supervisor of forest ranger services; forest ranger 3; forest ranger 2; forest ranger 1 employed by the state department of environmental conservation or sworn officer of the division of forest protection and fire management in the department of environmental conservation responsible for wild land search and rescue, wild land fire management in the state as prescribed in subdivision eighteen of section 9-0105 and title eleven of article nine of the environmental conservation law, exercising care, custody and control of state lands administered by the department of environmental conservation.

23. Uniformed personnel in institutions under the jurisdiction of the department of corrections and community supervision.

c. The dangerous employment benefit shall not be diminished by any other benefit such individual or his or her beneficiary would be entitled to receive.

§ 2. Section 50 of the legislative law shall not apply to the provisions of this act.

§ 3. This act shall take effect immediately.