

# STATE OF NEW YORK

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6424

2021-2022 Regular Sessions

## IN ASSEMBLY

March 17, 2021

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Introduced by M. of A. BICHOTTE HERMELYN, PICHARDO, PERRY -- read once  
and referred to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to providing  
a claim-filing opportunity for the widows and dependents of workers  
who died as a result of cancer caused by exposure to diesel exhaust

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

1 Section 1. This act shall be known and may be cited as "the Nigro  
2 act".

3 § 2. The workers' compensation law is amended by adding a new section  
4 16-a to read as follows:

5 § 16-a. Death benefits due to diesel exposure. Where death is due in  
6 whole or part to any cancer resulting from a hazardous exposure to  
7 diesel exhaust, a claim for death benefits shall not be disallowed as  
8 barred by section eighteen or section twenty-eight of this article if  
9 such claim is filed within one year of the effective date of this  
10 section. Such claims may be filed after such period in accordance with  
11 section eighteen and section twenty-eight of this article.

12 § 3. This act shall take effect immediately.

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

LBD04662-01-1