

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:

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

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

11 b. Law enforcement officer shall mean:

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

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

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

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

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

22 6. A sworn officer of the capital police force of the office of gener-
23 al services;

24 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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1 8. An investigator employed by a commission created by an interstate
2 compact who is, to a substantial extent, engaged in the enforcement of
3 the criminal laws of this state;

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

7 10. A sworn officer of the division of law enforcement in the depart-
8 ment of environmental conservation;

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

11 12. Long Island railroad police;

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

15 14. A sworn officer of the Westchester county department of public
16 safety services who, on or prior to June thirtieth, nineteen hundred
17 seventy-nine was appointed as a sworn officer of the division of West-
18 chester county parkway police or who was appointed on or after July
19 first, nineteen hundred seventy-nine to the title of police officer,
20 sergeant, lieutenant, captain or inspector or who, on or prior to Janu-
21 ary thirty-first, nineteen hundred eighty-three, was appointed as a
22 Westchester county deputy sheriff;

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

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

29 17. An employee of the department of taxation and finance (i) assigned
30 to enforcement of the taxes imposed under or pursuant to the authority
31 of article twelve-A of the tax law and administered by the commissioner
32 of taxation and finance, taxes imposed under or pursuant to the authori-
33 ty of article eighteen of the tax law and administered by the commis-
34 sioner, taxes imposed under article twenty of the tax law, or sales or
35 compensating use taxes relating to petroleum products or cigarettes
36 imposed under article twenty-eight or pursuant to the authority of arti-
37 cle twenty-nine of the tax law and administered by the commissioner or
38 (ii) designated as a revenue crimes specialist and assigned to the
39 enforcement of the taxes described in paragraph (c) of subdivision four
40 of section 2.10 of the criminal procedure law, for the purpose of apply-
41 ing for and executing search warrants under article six hundred ninety
42 of the criminal procedure law, for the purpose of acting as a claiming
43 agent under article thirteen-A of the civil practice law and rules in
44 connection with the enforcement of the taxes referred to above and for
45 the purpose of executing warrants of arrest relating to the respective
46 crimes specified in subdivision four of section 2.10 of the criminal
47 procedure law;

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

50 19. A university police officer appointed by the state university
51 pursuant to paragraph 1 of subdivision two of section three hundred
52 fifty-five of the education law;

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

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

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

5 22. Supervisor of forest ranger services; assistant supervisor of
6 forest ranger services; forest ranger 3; forest ranger 2; forest ranger
7 1 employed by the state department of environmental conservation or
8 sworn officer of the division of forest protection and fire management
9 in the department of environmental conservation responsible for wild
10 land search and rescue, wild land fire management in the state as
11 prescribed in subdivision eighteen of section 9-0105 and title eleven of
12 article nine of the environmental conservation law, exercising care,
13 custody and control of state lands administered by the department of
14 environmental conservation.

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

17 c. The dangerous employment benefit shall not be diminished by any
18 other benefit such individual or his or her beneficiary would be enti-
19 tled to receive.

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

22 § 3. This act shall take effect immediately.