STATE OF NEW YORK

3789

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

Introduced by M. of A. DICKENS, BARRON, COLTON, DINOWITZ, GRIFFIN, GOTTFRIED, MAGNARELLI, SIMON, SEAWRIGHT, TAGUE -- read once and referred to the Committee on Governmental Employees

AN ACT in relation to furloughs of employees by certain public retirement systems; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. 1. Notwithstanding any other provision of law, rule or regulation, any employee of a public retirement system in this state, including, but not limited to, the New York state and local employees' retirement system, the New York city employees' retirement system, the New York state teachers' retirement system, the New York city teachers' retirement system, and the New York state and local police and fire retirement system, who was an employee and entitled to benefits pursuant to their respective retirement system on March 7, 2020, shall be entitled to pension service credits in the event that such person is subject to an employee furlough during the "COVID-19 emergency declaration" as if such employee was employed full time during the COVID-19 emergency declaration.

2. For the purposes of this act, the term:

(a) "Employee furlough" means a mandatory, temporary suspension from work without pay.

(b) "COVID-19 emergency declaration" shall mean the state disaster emergency declared for the entire state by executive order number 202 and any further amendments or modifications, and as may be further extended pursuant to section 28 of the executive law.

§ 2. This act shall take effect immediately, provided, however, that this act shall be subject to the expiration of the state disaster emergency declared for the entire state by executive order number 202 and any further amendments or modifications, and as may be further extended

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

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pursuant to section 28 of the executive law, and shall be deemed to expire and be repealed therewith; provided, further, that the commissioner of health shall notify the legislative bill drafting commission upon the occurrence of the expiration of the state disaster emergency declared for the entire state by executive order number 202 and any further amendments or modifications, and as may be further extended pursuant to section 28 of the executive law, in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.