

# STATE OF NEW YORK

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5107

2021-2022 Regular Sessions

## IN SENATE

February 23, 2021

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Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

AN ACT to amend the administrative code of the city of New York, in relation to extending the benefits of the variable supplements fund to all New York city police officers, firefighters, housing police, transit police, correction officers and registered domestic partners

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

1 Section 1. Section 13-271 of the administrative code of the city of  
2 New York is amended by adding a new subdivision g to read as follows:

3 g. Notwithstanding any other provision of law, the provisions of this  
4 subchapter shall apply to all police officers who, prior to the effec-  
5 tive date of this subdivision, were ineligible for the benefits set  
6 forth in this subchapter, including all disabled New York city police  
7 officers, line of duty widows and widowers, registered domestic partners  
8 and all other New York city police officers who receive benefits from  
9 the New York city police pension fund. All such police officer reti-  
10 rees, widows and widowers and registered domestic partners shall be  
11 eligible and are hereby granted all rights and benefits set forth in  
12 this subchapter pursuant to the schedule set forth in subparagraph (i)  
13 of paragraph seven of subdivision a of this section from the effective  
14 date of this subdivision. However, nothing in this subdivision shall  
15 serve to cause a reduction in the variable supplement payment to any  
16 police officer or their beneficiary who was eligible for the benefit  
17 prior to the effective date of this subdivision.

18 § 2. Section 13-281 of the administrative code of the city of New York  
19 is amended by adding a new subdivision g to read as follows:

20 g. Notwithstanding any other provision of law, the provisions of this  
21 subchapter shall apply to all police officers who, prior to the effec-  
22 tive date of this subdivision, were ineligible for the benefits set  
23 forth in this subchapter, including all disabled New York city police

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

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officers, line of duty widows and widowers, registered domestic partners and all other retired New York city police officers who receive benefits from the New York city police pension fund. All such retired police officers, widows and widowers and registered domestic partners shall be eligible and are hereby granted all rights and benefits set forth in this subchapter pursuant to the schedule set forth in subparagraph (i) of paragraph two of subdivision a of this section from the effective date of this subdivision. However, nothing in this subdivision shall serve to cause a reduction in the variable supplement payment to any police officer or their beneficiary who was eligible for the benefit prior to the effective date of this subdivision.

§ 3. Section 13-385 of the administrative code of the city of New York is amended by adding a new subdivision i to read as follows:

i. Notwithstanding any other provision of law, the provisions of this subchapter shall apply to all firefighters who, prior to the effective date of this subdivision, were ineligible for the benefits set forth in this subchapter, including all disabled New York city firefighters, line of duty widows and widowers, registered domestic partners and all other retired firefighters who receive benefits from the New York fire department pension fund. All such firefighters, widows and widowers, registered domestic partners and retirees shall be eligible and are hereby granted all rights and benefits set forth in this subchapter pursuant to the schedule set forth in subparagraph (i) of paragraph ten of subdivision a of this section from the effective date of this subdivision. However, nothing in this subdivision shall serve to cause a reduction in the variable supplement payment to any firefighter or their beneficiary who was eligible for the benefit prior to the effective date of this subdivision.

§ 4. Section 13-395 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

f. Notwithstanding any other provision of law, the provisions of this subchapter shall apply to all firefighters who, prior to the effective date of this subdivision, were ineligible for the benefits set forth in this subchapter, including all disabled New York city firefighters, line of duty widows and widowers, registered domestic partners and all other firefighters who receive a benefit from the New York fire department pension fund. All such firefighters, widows and widowers, registered domestic partners and retirees shall be eligible and are hereby granted all rights and benefits set forth in this subchapter pursuant to the schedule set forth in subparagraph (i) of paragraph two of subdivision a of this section from the effective date of this subdivision. However, nothing in this subdivision shall serve to cause a reduction in the variable supplement payment to any firefighter or their beneficiary who was eligible for the benefit prior to the effective date of this subdivision.

§ 5. Subdivision 4 of section 13-191 of the administrative code of the city of New York, as added by chapter 844 of the laws of 1987, is amended by adding a new paragraph (i) to read as follows:

(i) Notwithstanding any other provision of law, the provisions of this section shall apply to all transit police members who retired as transit police officers, who, prior to the effective date of this paragraph, were ineligible for the benefits set forth in this section, including all disabled transit police members, line of duty widows and widowers, registered domestic partners and all other transit police members who retired as transit police officers and who receive benefits from the New York city employees' retirement system. All such transit police officer

retirees, widows and widowers and registered domestic partners shall be eligible and are hereby granted all rights and benefits set forth in this section pursuant to the schedule set forth in subparagraph one of paragraph (c) of this subdivision, from the effective date of this paragraph. However, nothing in this paragraph shall serve to cause a reduction in the variable supplement payment to any transit police officer or their beneficiary who was eligible for the benefit prior to the effective date of this paragraph.

§ 6. Subdivision 4 of section 13-191 of the administrative code of the city of New York, as added by chapter 846 of the laws of 1987, is amended by adding a new paragraph (i) to read as follows:

(i) Notwithstanding any other provision of law, the provisions of this section shall apply to all housing police members who retired as housing police officers, who, prior to the effective date of this paragraph, were ineligible for the benefits set forth in this section, including all disabled housing police members, line of duty widows and widowers, registered domestic partners and all other housing police members who retired as housing police officers and who receive benefits from the New York city employees' retirement system. All such housing police officer retirees, widows and widowers and registered domestic partners shall be eligible and are hereby granted all rights and benefits set forth in this section pursuant to the schedule set forth in subparagraph one of paragraph (c) of this subdivision, from the effective date of this paragraph. However, nothing in this paragraph shall serve to cause a reduction in the variable supplement payment to any housing police officer or their beneficiary who was eligible for the benefit prior to the effective date of this paragraph.

§ 7. Subdivision 4 of section 13-192 of the administrative code of the city of New York, as added by chapter 844 of the laws of 1987, is amended by adding a new paragraph (h) to read as follows:

(h) Notwithstanding any other provision of law, the provisions of this section shall apply to all transit police members who retired as transit police superior officers, who, prior to the effective date of this paragraph, were ineligible for the benefits set forth in this section, including all disabled transit police members, line of duty widows and widowers, registered domestic partners and all other transit police members who retired as transit police superior officers and who receive benefits from the New York city employees' retirement system. All such transit police superior officer retirees, widows and widowers and registered domestic partners shall be eligible and are hereby granted all rights and benefits set forth in this section pursuant to the schedule set forth in subparagraph one of paragraph (c) of this subdivision, from the effective date of this paragraph. However, nothing in this paragraph shall serve to cause a reduction in the variable supplement payment to any transit superior police officer or their beneficiary who was eligible for the benefit prior to the effective date of this paragraph.

§ 8. Subdivision 4 of section 13-192 of the administrative code of the city of New York, as added by chapter 846 of the laws of 1987, is amended by adding a new paragraph (h) to read as follows:

(h) Notwithstanding any other provision of law, the provisions of this section shall apply to all housing police members who retired as housing police superior officers, who, prior to the effective date of this paragraph, were ineligible for the benefits set forth in this section, including all disabled housing police members, line of duty widows and widowers, registered domestic partners and all other housing police members who retired as housing police superior officers and who receive

1 benefits from the New York city employees' retirement system. All such  
2 housing police superior officer retirees, widows and widowers and regis-  
3 tered domestic partners shall be eligible and are hereby granted all  
4 rights and benefits set forth in this section pursuant to the schedule  
5 set forth in subparagraph one of paragraph (c) of this subdivision, from  
6 the effective date of this paragraph. However, nothing in this paragraph  
7 shall serve to cause a reduction in the variable supplement payment to  
8 any housing police superior officer or their beneficiary who was eligi-  
9 ble for the benefit prior to the effective date of this paragraph.

10 § 9. Subdivision 4 of section 13-194 of the administrative code of the  
11 city of New York is amended by adding a new paragraph (h) to read as  
12 follows:

13 (h) Notwithstanding any other provision of law, the provisions of this  
14 section shall apply to all correction officer members who retired as  
15 correction officers, who, prior to the effective date of this paragraph,  
16 were ineligible for the benefits set forth in this section, including  
17 all disabled correction officer members, line of duty widows and widow-  
18 ers, registered domestic partners and all other correction officer  
19 members who retired as correction officers and who receive benefits from  
20 the New York city employees' retirement system. All such correction  
21 officer retirees, widows and widowers and registered domestic partners  
22 shall be eligible and are hereby granted all rights and benefits set  
23 forth in this section pursuant to the schedule set forth in subparagraph  
24 one of paragraph (c) of this subdivision, from the effective date of  
25 this paragraph. However, nothing in this paragraph shall serve to cause  
26 a reduction in the variable supplement payment to any correction officer  
27 or their beneficiary who was eligible for the benefit prior to the  
28 effective date of this paragraph.

29 § 10. This act shall take effect immediately.