STATE OF NEW YORK

9091

IN SENATE

May 9, 2022

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to special accidental death benefits for certain deceased paid employees of the city of New York or the New York city health and hospitals corporation

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

Section 1. Subdivision a of section 208-f of the general municipal law, as amended by chapter 457 of the laws of 2017, is amended to read as follows:

a. Notwithstanding any other provision of law, the special accidental death benefit provided by this section shall be paid to the widow or widower or the deceased member's children under the age of eighteen, or, if a student under the age of twenty-three, if the widow or widower has died of: (i) a deceased member of a pension or retirement system of a police department or paid fire department of a city, town or village; (ii) a deceased paid member of the police force of the police department of the New York city transit authority; (iii) a deceased paid member of the police force of the police department of the New York city housing authority; (iv) a deceased paid member of the uniformed correction force of the New York city department of correction; (v) a deceased paid uniformed member of a county sheriff's department (outside the city of New York); (vi) a deceased employee of the city of New York or the New York city health and hospitals corporation in a title whose duties are those of an emergency medical technician or advanced emergency medical technician (as those terms are defined in section three thousand one of the public health law), or in a title whose duties require the supervision of employees whose duties are those of an emergency medical technician or advanced emergency medical technician (as those terms are defined in section three thousand one of the public health law); (vii) a deceased paid bridge and tunnel member of the New York city employees' retirement system; [~~or~~] (viii) a deceased paid member of the uniformed force of the New York city department of sanitation**; or (ix) a deceased paid employee, whether full-time, part-time, hourly, or per diem, of the**

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

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city of New York or the New York city health and hospitals corporation in a title whose duties are to provide medical, behavioral health, dental, or other health-related services, including but not limited to, any deceased paid employee in a title whose duties were to provide medical, behavioral health, dental, or other health-related services for correctional health services, a mayoral agency, or department of the city of New York, whether employed by the New York city health and hospitals corporation or subcontractors or affiliates thereof, the city of New York, the Metropolitan Transportation Authority, or the New York City Transit Authority, providing the widow or widower is ineligible to receive benefits pursuant to section three hundred sixty-one-a of the retirement and social security law as amended by chapter seven hundred thirty-three of the laws of nineteen hundred ninety and the deceased member:

1. Died before the effective date of his or her retirement, as the natural and proximate result of an accident sustained in the performance of duty in the service upon which his or her membership was based, and

2. Did not cause such accident by his or her own willful negligence, and

3. At the time of such accident was actually a member of: (i) a pension or retirement system of a police department or paid fire department of a city, town or village; (ii) a pension or retirement system covering the police force of the police department of the New York city transit authority; (iii) a pension or retirement system covering the police force of the police department of the New York city housing authority; (iv) a pension or retirement system covering the uniformed correction force of the New York city department of correction; (v) a pension or retirement system covering uniformed members of a county sheriff's department (outside the city of New York); (vi) a pension or retirement system covering employees of the city of New York, or the New York city health and hospitals corporation in a title whose duties are those of an emergency medical technician or advanced emergency medical technician (as those terms are defined in section three thousand one of the public health law), or in a title whose duties require the supervision of employees whose duties are those of an emergency medical technician or advanced emergency medical technician (as those terms are defined in section three thousand one of the public health law); (vii) a pension or retirement system covering paid bridge and tunnel members of the New York city employees' retirement system; [~~or~~] (viii) a pension or retirement system covering paid members of the uniformed force of the New York city department of sanitation; or (ix) a pension or retirement system covering paid members of the New York city health and hospitals corporation.

§ 2. This act shall take effect immediately.