STATE OF NEW YORK

9238--A

IN SENATE

May 12, 2022

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to disability retirement benefits for the presumption of post-traumatic stress disorder for certain titles

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

Section 1. The retirement and social security law is amended by adding a new section 605-g to read as follows:

§ 605-g. Disability retirement for certain dispatchers. 1. A member employed as a communications technician, communications specialist, communications operator, radio dispatcher, or emergency dispatcher by any state agency, department, or division, a county 911 dispatcher, a county 911 dispatcher supervisor, a New York city fire alarm dispatcher, a New York city supervising fire alarm dispatcher level one or a New York city supervising fire alarm dispatcher level two shall be entitled to disability retirement allowance, if, at the time application therefor is filed, such member is physically or mentally incapacitated for performance of duty as a result of contracting post-traumatic stress disorder while so employed and as a result of his or her employment.

2. Notwithstanding any provision of this chapter or of any general, special or local law to the contrary, any member who is a communications technician, communications specialist, communications operator, radio dispatcher, or emergency dispatcher by any state agency, department, or division, a county 911 dispatcher, a county 911 dispatcher supervisor, a New York city fire alarm dispatcher, a New York city supervising fire alarm dispatcher level one or a New York city supervising fire alarm dispatcher level two who is diagnosed as suffering from post-traumatic stress disorder resulting in disability to such fire alarm dispatcher, presently employed, and who shall have sustained such disability while so employed, shall have such diagnosis be presumptive evidence that such

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

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disability was incurred in the performance and discharge of duty, unless the contrary be proven by competent evidence.

3. The annual retirement allowance payable shall be equal to the three-quarters of his or her final average salary.

§ 2. This act shall take effect immediately.