

STATE OF NEW YORK

10524

IN ASSEMBLY

June 2, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Pheffer Amato) -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the retirement and social security law, the education law, the public authorities law and the administrative code of the city of New York, in relation to extending the coronavirus disease 2019 (COVID-19) benefit for public employee death benefits; and to amend chapter 78 of the laws of 2021, amending the retirement and social security law and other laws relating to establishing a coronavirus disease 2019 (COVID-19) benefit for public employee death benefits, in relation to the effectiveness thereof

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

1 Section 1. Paragraph 3 of subdivision a of section 61-b of the retire-
2 ment and social security law, as amended by chapter 783 of the laws of
3 2022, is amended to read as follows:

4 3. Such member died on or before [~~December~~ July thirty-first, two
5 thousand [~~twenty-four~~ twenty-five, and COVID-19 caused or contributed
6 to such member's death, as documented on such member's death certifi-
7 cate, or as certified by a physician, nurse practitioner, or physi-
8 cian's assistant described in paragraph two of this subdivision who
9 determines with a reasonable degree of medical certainty that COVID-19
10 caused or contributed to the member's death, such member's statutory
11 beneficiary shall receive an accidental death benefit, unless such stat-
12 utory beneficiary elects to receive an ordinary death benefit.

13 § 2. Paragraph 3 of subdivision a of section 361-b of the retirement
14 and social security law, as amended by chapter 783 of the laws of 2022,
15 is amended to read as follows:

16 3. Such member died on or before [~~December~~ July thirty-first, two
17 thousand [~~twenty-four~~ twenty-five, and COVID-19 caused or contributed
18 to such member's death, as documented on such member's death certifi-
19 cate, or as certified by a physician, nurse practitioner, or physi-
20 cian's assistant described in paragraph two of this subdivision who
21 determines with a reasonable degree of medical certainty that COVID-19

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

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1 caused or contributed to the member's death, such member's statutory
2 beneficiary shall receive an accidental death benefit, unless such stat-
3 utory beneficiary elects to receive an ordinary death benefit.

4 § 3. Paragraph 3 of subdivision a of section 509-a of the retirement
5 and social security law, as amended by chapter 783 of the laws of 2022,
6 is amended to read as follows:

7 3. Such member died on or before [~~December~~] ~~July~~ thirty-first, two
8 thousand [~~twenty-four~~] ~~twenty-five~~, and COVID-19 caused or contributed
9 to such member's death, as documented on such member's death certif-
10 icate, or as certified by a physician, nurse practitioner, or physi-
11 cian's assistant described in paragraph two of this subdivision who
12 determines with a reasonable degree of medical certainty that COVID-19
13 caused or contributed to the member's death, such member's statutory
14 beneficiary shall receive an accidental death benefit, unless such stat-
15 utory beneficiary elects to receive an ordinary death benefit.

16 § 4. Paragraph 3 of subdivision a of section 607-i of the retirement
17 and social security law, as amended by chapter 783 of the laws of 2022,
18 is amended to read as follows:

19 3. Such member died on or before [~~December~~] ~~July~~ thirty-first, two
20 thousand [~~twenty-four~~] ~~twenty-five~~, and COVID-19 caused or contributed
21 to such member's death, as documented on such member's death certif-
22 icate, or as certified by a physician, nurse practitioner, or physi-
23 cian's assistant described in paragraph two of this subdivision who
24 determines with a reasonable degree of medical certainty that COVID-19
25 caused or contributed to the member's death, such member's statutory
26 beneficiary shall receive an accidental death benefit, unless such stat-
27 utory beneficiary elects to receive an ordinary death benefit.

28 § 5. Subparagraph (C) of paragraph 1 of subdivision h of section 512
29 of the education law, as amended by chapter 783 of the laws of 2022, is
30 amended to read as follows:

31 (C) such member died on or before [~~December~~] ~~July~~ thirty-first, two
32 thousand [~~twenty-four~~] ~~twenty-five~~, and COVID-19 caused or contributed
33 to such member's death, as documented on such member's death certif-
34 icate, or as certified by a physician, nurse practitioner, or physi-
35 cian's assistant described in subparagraph (B) of this paragraph who
36 determines with a reasonable degree of medical certainty that COVID-19
37 caused or contributed to the member's death, such member's statutory
38 beneficiary shall receive an accidental death benefit, unless such stat-
39 utory beneficiary elects to receive an ordinary death benefit.

40 § 6. Subparagraph (iii) of paragraph (a) of subdivision 26 of section
41 2575 of the education law, as amended by chapter 783 of the laws of
42 2022, is amended to read as follows:

43 (iii) such member died on or before [~~December~~] ~~July~~ thirty-first, two
44 thousand [~~twenty-four~~] ~~twenty-five~~, and COVID-19 caused or contributed
45 to such member's death, as documented on such member's death certif-
46 icate, or as certified by a physician, nurse practitioner, or physi-
47 cian's assistant described in subparagraph (ii) of this paragraph who
48 determines with a reasonable degree of medical certainty that COVID-19
49 caused or contributed to the member's death, such member's statutory
50 beneficiary shall receive an accidental death benefit, unless such stat-
51 utory beneficiary elects to receive an ordinary death benefit.

52 § 7. Subparagraph (iii) of paragraph (a) of subdivision 8 of section
53 1266-h of the public authorities law, as amended by chapter 783 of the
54 laws of 2022, is amended to read as follows:

55 (iii) Such member died on or before [~~December~~] ~~July~~ thirty-first, two
56 thousand [~~twenty-four~~] ~~twenty-five~~, and COVID-19 caused or contributed

1 to such member's death, as documented on such member's death certifi-
2 cate, or as certified by a physician, nurse practitioner, or physi-
3 cian's assistant described in subparagraph (ii) of this paragraph who
4 determines with a reasonable degree of medical certainty that COVID-19
5 caused or contributed to the member's death, such member's statutory
6 beneficiary shall receive an accidental death benefit, unless such stat-
7 utory beneficiary elects to receive an ordinary death benefit.

8 § 8. Paragraph (c) of subdivision 1 of section 13-149.1 of the admin-
9 istrative code of the city of New York, as amended by chapter 783 of the
10 laws of 2022, is amended to read as follows:

11 (c) Such member died on or before [~~December~~] July thirty-first, two
12 thousand [~~twenty-four~~] twenty-five, and COVID-19 caused or contributed
13 to such member's death, as documented on such member's death certifi-
14 cate, or as certified by a physician, nurse practitioner, or physi-
15 cian's assistant described in paragraph (b) of this subdivision who
16 determines with a reasonable degree of medical certainty that COVID-19
17 caused or contributed to the member's death, such member's statutory
18 beneficiary shall receive an accidental death benefit, unless such stat-
19 utory beneficiary elects to receive an ordinary death benefit.

20 § 9. Paragraph (c) of subdivision 1 of section 13-244.1 of the admin-
21 istrative code of the city of New York, as amended by chapter 783 of the
22 laws of 2022, is amended to read as follows:

23 (c) Such member died on or before [~~December~~] July thirty-first, two
24 thousand [~~twenty-four~~] twenty-five, and COVID-19 caused or contributed
25 to such member's death, as documented on such member's death certifi-
26 cate, or as certified by a physician, nurse practitioner, or physi-
27 cian's assistant described in paragraph (b) of this subdivision who
28 determines with a reasonable degree of medical certainty that COVID-19
29 caused or contributed to the member's death, such member's statutory
30 beneficiary shall receive an accidental death benefit, unless such stat-
31 utory beneficiary elects to receive an ordinary death benefit.

32 § 10. Paragraph (c) of subdivision 1 of section 13-347.1 of the admin-
33 istrative code of the city of New York, as amended by chapter 783 of the
34 laws of 2022, is amended to read as follows:

35 (c) Such member died on or before [~~December~~] July thirty-first, two
36 thousand [~~twenty-four~~] twenty-five, and COVID-19 caused or contributed
37 to such member's death, as documented on such member's death certifi-
38 cate, or as certified by a physician, nurse practitioner, or physi-
39 cian's assistant described in paragraph (b) of this subdivision who
40 determines with a reasonable degree of medical certainty that COVID-19
41 caused or contributed to the member's death, such member's statutory
42 beneficiary shall receive an accidental death benefit, unless such stat-
43 utory beneficiary elects to receive an ordinary death benefit.

44 § 11. Paragraph (c) of subdivision 1 of section 13-544.1 of the admin-
45 istrative code of the city of New York, as amended by chapter 783 of the
46 laws of 2022, is amended to read as follows:

47 (c) Such member died on or before [~~December~~] July thirty-first, two
48 thousand [~~twenty-four~~] twenty-five, and COVID-19 caused or contributed
49 to such member's death, as documented on such member's death certifi-
50 cate, or as certified by a physician, nurse practitioner, or physi-
51 cian's assistant described in paragraph (b) of this subdivision who
52 determines with a reasonable degree of medical certainty that COVID-19
53 caused or contributed to the member's death, such member's statutory
54 beneficiary shall receive an accidental death benefit, unless such stat-
55 utory beneficiary elects to receive an ordinary death benefit.

1 § 12. Section 14 of chapter 78 of the laws of 2021, amending the
2 retirement and social security law and other laws relating to establish-
3 ing a coronavirus disease 2019 (COVID-19) benefit for public employee
4 death benefits, as amended by chapter 783 of the laws of 2022, is
5 amended to read as follows:

6 § 14. This act shall take effect immediately and shall be deemed to
7 have been in full force and effect on and after March 1, 2020; provided
8 that the provisions of this act shall expire and be deemed repealed on
9 [~~December~~ July 31, [~~2024~~ 2025].

10 § 13. This act shall take effect immediately and shall be deemed to
11 have been in full force and effect on and after March 1, 2020.