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:

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

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

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

3. Such member died on or before [~~December~~] **July** thirty-first, two thousand [~~twenty-four~~] **twenty-five**, and COVID-19 caused or contributed to such member's death, as documented on such member's death certificate, or as certified by a physician, nurse practitioner, or physician's assistant described in paragraph two of this subdivision who 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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caused or contributed to the member's death, such member's statutory beneficiary shall receive an accidental death benefit, unless such statutory beneficiary elects to receive an ordinary death benefit.

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

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

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

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

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

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

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

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

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

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

to such member's death, as documented on such member's death certificate, or as certified by a physician, nurse practitioner, or physician's assistant described in subparagraph (ii) of this paragraph who determines with a reasonable degree of medical certainty that COVID-19 caused or contributed to the member's death, such member's statutory beneficiary shall receive an accidental death benefit, unless such statutory beneficiary elects to receive an ordinary death benefit.

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

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

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

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

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

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

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

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

§ 12. Section 14 of 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, as amended by chapter 783 of the laws of 2022, is amended to read as follows:

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

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