

# STATE OF NEW YORK

9831

## IN SENATE

June 3, 2024

Introduced by Sen. JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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  
22 caused or contributed to the member's death, such member's statutory

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

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1 beneficiary shall receive an accidental death benefit, unless such stat-  
2 utory beneficiary elects to receive an ordinary death benefit.

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

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

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

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

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

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

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

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

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

54 (iii) Such member died on or before [~~December~~] July thirty-first, two  
55 thousand [~~twenty-four~~] twenty-five, and COVID-19 caused or contributed  
56 to such member's death, as documented on such member's death certifi-

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

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

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

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

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

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

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

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

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

55 § 12. Section 14 of chapter 78 of the laws of 2021, amending the  
56 retirement and social security law and other laws relating to establish-

1 ing a coronavirus disease 2019 (COVID-19) benefit for public employee  
2 death benefits, as amended by chapter 783 of the laws of 2022, is  
3 amended to read as follows:

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

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