

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 certif-
13 icate, 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 certif-
25 icate, 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 certif-
37 icate, 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 certif-
49 icate, 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.