

STATE OF NEW YORK

10285

IN ASSEMBLY

February 20, 2026

Introduced by M. of A. BRONSON -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law and the county law, in relation to establishing the office of special investigation for work-related fatalities

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

1 Section 1. The executive law is amended by adding a new section 70-d
2 to read as follows:

3 § 70-d. Office of special investigation for work-related fatalities.

4 1. There is hereby established within the office of the attorney general
5 an office of special investigation for work-related fatalities. The
6 attorney general shall have investigatory authority and criminal juris-
7 isdiction to investigate and, if warranted, prosecute any alleged criminal
8 offense committed in connection with the death of a worker arising from
9 or occurring during the course of employment, regardless of the worker's
10 occupation, employer, or industry.

11 2. For the purposes of this section:

12 (a) "Employee" shall include, but not be limited to, direct employees,
13 contracted employees, subcontracted employees, independent contractors,
14 temporary or contingency workers, apprentices, interns, volunteers, or
15 any other persons who perform duties at the direction and discretion of
16 an employer or who provides services pursuant to a contract in the work-
17 place.

18 (b) "Employer" shall include a direct employer, contractor, or subcon-
19 tractor. In the absence of a formal hiring agreement, the person who
20 directs or provides compensation to the worker shall be considered the
21 employer unless such person is also directed and compensated by another.
22 In such cases, the persons successively above the worker in the employ-
23 ment chain shall be considered the employer. In the instance of the
24 death of an intern or volunteer, the entity directing such intern or
25 volunteer in their duties as such shall be considered the employer.

26 (c) "Workplace" shall include, but not be limited to, any location
27 where a worker performs any work-related duty in the course of their

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

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1 employment, or any other site where the worker may be as a result of the
2 employer's direction.

3 (d) "Work-related fatality" shall mean the death of any employee that
4 occurs during the course and scope of employment and results from acts
5 or omissions occurring at a workplace, including but not limited to
6 machinery accidents, falls, structural failures, workplace violence, or
7 employer negligence. A "work-related fatality" does not include deaths
8 due solely to natural causes, unless such causes were precipitated or
9 accelerated by conditions of employment or the work environment.

10 3. (a) The attorney general shall investigate any incident within the
11 state that has been referred to the office pursuant to section six
12 hundred seventy-one of the county law, where an employee may have died
13 during the performance of work-related duties, or as a result of condi-
14 tions or actions occurring in the workplace, including but not limited
15 to: unsafe working conditions; employer negligence; violations of occu-
16 pational safety laws or regulations; or deaths arising from
17 construction, manufacturing, agricultural, or transportation worksites.

18 (b) Local law enforcement agencies, district attorneys, the department
19 of labor or other relevant investigatory authority that become aware of
20 a fatality occurring under circumstances suggestive of a work-related
21 fatality shall provide an incident report to the office within forty-
22 eight hours of obtaining such knowledge. Such incident report shall
23 include: the name and age of the deceased; the date, time, and location
24 of the death; a summary of the findings of any preliminary investigation
25 or post-mortem examination; the suspected cause and manner of death; the
26 name of the deceased's employer; a statement of any referrals made to
27 regulatory agencies, such as the department of labor or the occupational
28 safety and health administration (OSHA); and contact information for any
29 responding law enforcement.

30 (c) The attorney general may also independently initiate an investi-
31 gation based on other credible information.

32 (d) The attorney general may request the assistance and cooperation of
33 any state, local, or federal agency in conducting investigations under
34 this section.

35 4. If, following an investigation, the attorney general determines
36 that there is a reasonable cause to believe a criminal offense was
37 committed, such attorney general may prosecute any employer in any court
38 of appropriate jurisdiction within the state.

39 § 2. Subdivision 1 of section 671 of the county law is amended by
40 adding a new paragraph (c) to read as follows:

41 (c) if it is determined that the death is suggestive of a work-related
42 fatality, or occurred as a result of conditions present at the individ-
43 ual's workplace, shall, within forty-eight hours, notify the office of
44 special investigation for work-related fatalities in the department of
45 law and provide an incident report. Such incident report shall include:
46 the name and age of the deceased; the date, time, and location of the
47 death; a summary of the findings of any preliminary investigation or
48 post-mortem examination; the suspected cause and manner of death; the
49 name of the deceased's employer; a statement of any referrals made to
50 regulatory agencies, such as the department of labor or the occupational
51 safety and health administration (OSHA); and contact information for any
52 responding law enforcement. The coroner or medical examiner shall coop-
53 erate with any subsequent investigation conducted by the attorney gener-
54 al under section seventy-d of the executive law, including providing
55 access to autopsy reports, witness interviews, and physical evidence.

1 § 3. This act shall take effect on the ninetieth day after it shall
2 have become a law. Effective immediately, the addition, amendment and/or
3 repeal of any rule or regulation necessary for the implementation of
4 this act on its effective date are authorized to be made and completed
5 on or before such effective date.