STATE OF NEW YORK

10360

IN SENATE

May 15, 2026

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the general municipal law, the retirement and social security law, the executive law, the volunteer firefighters' benefit law, the volunteer ambulance workers' benefit law, the workers' compensation law and the administrative code of the city of New York, in relation to recognizing suicide as a line of duty death for the purposes of certain death benefits

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

Section 1. Section 208-b of the general municipal law is amended by adding a new subdivision 6 to read as follows:

6. a. Notwithstanding any other provision of law to the contrary, and solely for the purposes of this section, a member otherwise covered by this section shall be deemed to have died as the natural and proximate result of injuries sustained at a definite time and place and incurred in the performance of duty as a member of such department or force, and not as a result of willful negligence on their part, provided that such member died by suicide where:

1. The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

2. The suicide occurs within forty-five days of the end of exposure to a traumatic event while in the line of duty.

b. For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

§ 2. Section 208-f of the general municipal law is amended by adding a new subdivision l to read as follows:

l. 1. Notwithstanding any other provision of law to the contrary, and solely for the purposes of this section, a member otherwise covered by this section shall be deemed to have died as the natural and proximate

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

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result of an accident sustained in the performance of duty upon which their membership is based, and not as a result of willful negligence on their part, provided that such member died by suicide where:

(i) The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

(ii) The suicide occurs within forty-five days of the end of exposure to a traumatic event while in the line of duty.

2. For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

§ 3. Section 61 of the retirement and social security law is amended by adding a new subdivision e to read as follows:

e. 1. Notwithstanding any other provision of law to the contrary, and solely for the purposes of determining eligibility for an accidental death benefit and/or special accidental death benefit, a member who is a public safety officer shall be considered to have died as the natural and proximate result of an accident sustained in the performance of duty as a public safety officer provided such member was on the payroll in the service upon which membership is based at the time such member died by suicide where:

(i) The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

(ii) The suicide occurs within forty-five days of the end of exposure, while on duty, to a traumatic event.

2. For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

3. For the purposes of this subdivision, the term "public safety officer" shall mean: (i) any peace officer as defined in section 2.10 of the criminal procedure law; (ii) any correction officer employed by a state or local correctional facility whose duties include maintaining the safety, security, discipline, and custody of incarcerated individuals; (iii) any individual employed on a full-time basis by the state or by a fire department of a municipal corporation, district corporation, or other political subdivision, who is engaged in: (A) firefighting; (B) emergency motor vehicle operation; (C) fire cause and origin investigation; (D) the provision of emergency medical services; or (E) hazardous materials response; (iv) a legally enrolled member of a volunteer fire company or fire department, or a member of an independent nonprofit firefighting corporation, engaged in the hazards of firefighting; (v) any person acting in good faith at the request or direction of a public safety officer to assist in an emergency response; (vi) any reserve or auxiliary police officer or deputy sheriff while acting under the supervision and authority of a political subdivision; (vii) any driver or attendant of a licensed emergency medical or advanced life support service engaged in providing emergency care; and (viii) any certified first responder who is a member of an organized service recognized by a local political subdivision to provide initial emergency medical assistance prior to the arrival of an ambulance.

§ 4. Section 361 of the retirement and social security law is amended by adding a new subdivision e to read as follows:

e. 1. Notwithstanding any other provision of law to the contrary, and solely for the purposes of determining eligibility under this section, a member shall be considered to have died as the natural and proximate result of an accident sustained in the performance of duty in the service upon which their membership was based provided such member was on the payroll in the service upon which membership is based at the time such member died by suicide where:

(i) The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

(ii) The suicide occurs within forty-five days of the end of exposure to a traumatic event while in the line of duty.

2. For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

§ 5. Section 509 of the retirement and social security law is amended by adding a new subdivision d to read as follows:

d. 1. Notwithstanding any other provision of law to the contrary, and solely for the purposes of determining eligibility for an accidental death benefit and/or special accidental death benefit, a member who is a public safety officer shall be considered to have died as the natural and proximate result of an accident sustained in the performance of duty as a public safety officer provided such member was on the payroll in the service upon which membership is based at the time such member died by suicide where:

(i) The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

(ii) The suicide occurs within forty-five days of the end of exposure, while on duty, to a traumatic event.

2. For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

3. For the purposes of this subdivision, the term "public safety officer" shall mean: (i) any peace officer as defined in section 2.10 of the criminal procedure law; (ii) any correction officer employed by a state or local correctional facility whose duties include maintaining the safety, security, discipline, and custody of incarcerated individuals; (iii) any individual employed on a full-time basis by the state or by a fire department of a municipal corporation, district corporation, or other political subdivision, who is engaged in: (A) firefighting; (B) emergency motor vehicle operation; (C) fire cause and origin investigation; (D) the provision of emergency medical services; or (E) hazardous materials response; (iv) a legally enrolled member of a volunteer fire company or fire department, or a member of an independent nonprofit firefighting corporation, engaged in the hazards of firefighting; (v) any person acting in good faith at the request or direction of a public safety officer to assist in an emergency response; (vi) any reserve or auxiliary police officer or deputy sheriff while acting under the supervision and authority of a political subdivision; (vii) any driver or

attendant of a licensed emergency medical or advanced life support service engaged in providing emergency care; and (viii) any certified first responder who is a member of an organized service recognized by a local political subdivision to provide initial emergency medical assistance prior to the arrival of an ambulance.

§ 6. Section 227-a of the executive law is amended by adding a new subdivision 4 to read as follows:

4. (a) Notwithstanding any other provision of law to the contrary, and solely for the purposes of determining eligibility for a death benefit under this section, a member of the division of state police shall be considered to have died from injuries received in the performance of duty where such member of the division of state police died by suicide and:

(i) The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

(ii) The suicide occurs within forty-five days of the end of exposure, while on duty, to a traumatic event.

(b) For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

§ 7. Section 7 of the volunteer firefighters' benefit law is amended by adding a new subdivision 23 to read as follows:

23. (a) Notwithstanding any other provision of law to the contrary, and solely for the purposes of determining eligibility for a death benefit under this section, a volunteer firefighter shall be considered to have died from injuries received in the line of duty as a direct result of firefighting where such volunteer firefighter died by suicide and:

(i) The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

(ii) The suicide occurs within forty-five days of the end of exposure, while on duty, to a traumatic event.

(b) For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

§ 8. Section 7 of the volunteer ambulance workers' benefit law is amended by adding a new subdivision 23 to read as follows:

23. (a) Notwithstanding any other provision of law to the contrary, and solely for the purposes of determining eligibility for a death benefit under this section, a volunteer ambulance worker shall be considered to have died from injuries received in the line of duty where such volunteer ambulance worker died by suicide and:

(i) The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

(ii) The suicide occurs within forty-five days of the end of exposure, while on duty, to a traumatic event.

(b) For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

§ 9. Section 16 of the workers' compensation law is amended by adding a new subdivision 8 to read as follows:

8. (1) Notwithstanding any other provision of law to the contrary, and solely for the purposes of determining eligibility for an accidental death benefit and/or special accidental death benefit, a member who is a public safety officer shall be considered to have died as the natural and proximate result of an accident sustained in the line of duty as a public safety officer where such member died by suicide and:

(a) The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

(b) The suicide occurs within forty-five days of the end of exposure, while on duty, to a traumatic event.

(2) For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

(3) For the purposes of this subdivision, the term "public safety officer" shall mean: (a) any peace officer as defined in section 2.10 of the criminal procedure law; (b) any correction officer employed by a state or local correctional facility whose duties include maintaining the safety, security, discipline, and custody of incarcerated individuals; (c) any individual employed on a full-time basis by the state or by a fire department of a municipal corporation, district corporation, or other political subdivision, who is engaged in: (i) firefighting; (ii) emergency motor vehicle operation; (iii) fire cause and origin investigation; (iv) the provision of emergency medical services; or (v) hazardous materials response; (d) a legally enrolled member of a volunteer fire company or fire department, or a member of an independent nonprofit firefighting corporation, engaged in the hazards of firefighting; (e) any person acting in good faith at the request or direction of a public safety officer to assist in an emergency response; (f) any reserve or auxiliary police officer or deputy sheriff while acting under the supervision and authority of a political subdivision; (g) any driver or attendant of a licensed emergency medical or advanced life support service engaged in providing emergency care; and (h) any certified first responder who is a member of an organized service recognized by a local political subdivision to provide initial emergency medical assistance prior to the arrival of an ambulance.

§ 10. Section 13-149 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. (1) Notwithstanding any other provision of law to the contrary, and solely for the purposes of determining eligibility for an accidental death benefit and/or special accidental death benefit, a member who is a public safety officer shall be considered to have died as the natural and proximate result of an accident sustained in the line of duty as a public safety officer where such member died by suicide and:

(a) The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

(b) The suicide occurs within forty-five days of the end of exposure, while on duty, to a traumatic event.

(2) For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

(3) For the purposes of this subdivision, the term "public safety officer" shall mean: (a) any peace officer as defined in section 2.10 of the criminal procedure law; (b) any correction officer employed by a state or local correctional facility whose duties include maintaining the safety, security, discipline, and custody of incarcerated individuals; (c) any individual employed on a full-time basis by the state or by a fire department of a municipal corporation, district corporation, or other political subdivision, who is engaged in: (i) firefighting; (ii) emergency motor vehicle operation; (iii) fire cause and origin investigation; (iv) the provision of emergency medical services; or (v) hazardous materials response; (d) a legally enrolled member of a volunteer fire company or fire department, or a member of an independent nonprofit firefighting corporation, engaged in the hazards of firefighting; (e) any person acting in good faith at the request or direction of a public safety officer to assist in an emergency response; (f) any reserve or auxiliary police officer or deputy sheriff while acting under the supervision and authority of a political subdivision; (g) any driver or attendant of a licensed emergency medical or advanced life support service engaged in providing emergency care; and (h) any certified first responder who is a member of an organized service recognized by a local political subdivision to provide initial emergency medical assistance prior to the arrival of an ambulance.

§ 11. Section 13-244 of the administrative code of the city of New York is amended by adding a new subdivision 5 to read as follows:

5. (a) Notwithstanding any other provision of law to the contrary, and solely for the purposes of this section, a member otherwise covered by this section shall be deemed to have died as the natural and proximate result of an accident sustained while a member and while in the performance of duty at some definite time and place, and not as a result of willful negligence on their part, provided that such member died by suicide where:

(i) The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

(ii) The suicide occurs within forty-five days of the end of exposure to a traumatic event while in the line of duty.

(b) For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

§ 12. Section 13-347 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

g. (1) Notwithstanding any other provision of law to the contrary, and solely for the purposes of this section, a member otherwise covered by this section shall be deemed to have died as the natural and proximate result of an accident sustained while a member and while in the performance of duty at some definite time and place, and not as a result of willful negligence on their part, provided that such member died by suicide where:

(A) The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

(B) The suicide occurs within forty-five days of the end of exposure to a traumatic event while in the line of duty.

(2) For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

§ 13. Section 13-544 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. 1. Notwithstanding any other provision of law to the contrary, and solely for the purposes of this section, a member shall be deemed to have died as the natural and proximate result of an accident sustained in the performance of duty upon which their membership is based, and not as a result of willful negligence on their part, provided that such member died by suicide where:

A. The suicide is secondary to a diagnosis of post-traumatic stress disorder, as described in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association, as a result of a traumatic event which occurred while in the line of duty; or

B. The suicide occurs within forty-five days of the end of exposure to a traumatic event while in the line of duty.

2. For purposes of this subdivision, suicides shall be presumed proximate to post-traumatic stress disorder or a qualifying traumatic event unless competent medical evidence proves otherwise.

§ 14. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would create a presumption providing accidental death benefits to active Tier 1-3 members of the New York State and Local Retirement System (NYSLRS) who die by suicide. To qualify for the accidental death benefits, the member must experience a traumatic event and thereupon be diagnosed with post-traumatic stress disorder (PTSD) or die within 45 days of the traumatic event. The traumatic event must occur on-the-job while employed in a position providing public safety services - such as peace officers, correction officers, deputy sheriffs, and first responders - or while acting at the direction of such public safety personnel.

Insofar as this bill affects NYSLRS, the number of accidental death benefits granted would increase. The additional cost for each death in the Employees' Retirement System is expected to average 4.5 times final average salary; the additional cost of each death in the Police and Fire Retirement System is expected to average 13 times final average salary.

Further, we anticipate significant administrative costs to implement the provisions of this legislation.

The number of current and future members who could be affected by this legislation cannot be readily determined.

Summary of relevant resources:

Membership data as of March 31, 2025 was used to measure the impact of the bill, the same data used in the Actuarial Valuations dated April 1, 2025. Distributions and other statistics can be found in the 2025 Report of the Actuary and the 2025 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2025 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules

and Regulations of the State of New York: Audit and Control. The fair value of assets and GASB disclosures can be found in the 2025 Financial Statements and Supplementary Information.

Assumptions, demographics, and other considerations may have been modified to better reflect specific provisions of any proposed benefit change(s).

This fiscal note does not constitute a legal opinion on the viability of the bill, nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated April 30, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-128. As Chief Actuary of the New York State and Local Retirement System (NYSLRS), I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member. I am a member of NYSLRS but do not believe it impairs my objectivity.