

STATE OF NEW YORK

6041

2025-2026 Regular Sessions

IN ASSEMBLY

February 26, 2025

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

AN ACT establishing a temporary task force on variable supplements fund

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

1 Section 1. Legislative intent. The variable supplements fund (VSF)
2 program was enacted in 1970 to provide supplementation to the retirement
3 allowance of New York city police and fire retirement system members.
4 Since the enactment of the legislation establishing the VSF program,
5 much controversy has been generated by the exclusion of disability reti-
6 rees from eligibility for the benefit. Although a small number of New
7 York city disability retirees were permitted to receive VSF supplementa-
8 tion benefits as a result of technical correction legislation approved
9 during previous years, the lack of clarity in defining VSF eligibility
10 and the continued exclusion of most disabled firefighters from receipt
11 of this benefit has been a cause of much frustration and confusion for
12 disability pensioners.

13 While it is recognized that any amendment to the VSF will require
14 careful study and consideration of the issues involved, the legisla-
15 ture's interest in ensuring fairness and equity demand such review.
16 Because the legislature does not accept this responsibility lightly, it
17 hereby declares that the establishment of a temporary task force, to be
18 known as the temporary task force on the variable supplements fund, is
19 both warranted and required.

20 § 2. 1. A temporary task force, to be known as the temporary task
21 force on the variable supplements fund, is hereby created to examine and
22 investigate such issues as are related to the exclusion of disability
23 pensioners from the variable supplements fund.

24 2. The temporary task force shall have the power to:

25 (a) conduct public hearings in furtherance of the performance of its
26 duties under this act;

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

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1 (b) issue subpoenas for and to compel attendance of witnesses and the
2 production of books, records, documents and other relevant evidence; and
3 (c) to recommend legislation consistent with the purposes of this
4 section.

5 3. The task force shall consist of eleven members appointed as
6 follows:

7 (a) two members who shall be appointed by the governor;

8 (b) two members who shall be appointed by the temporary president of
9 the senate;

10 (c) two members who shall be appointed by the speaker of the assembly;

11 (d) one member who shall be appointed by the minority leader of the
12 senate;

13 (e) one member who shall be appointed by the minority leader of the
14 assembly;

15 (f) one member who shall be appointed by the mayor of the city of New
16 York;

17 (g) one member who shall be appointed by the state comptroller; and

18 (h) one member who shall represent the interest of the affected disa-
19 bility retirees and who shall be appointed by the chair.

20 From among such eleven members, the governor shall designate the
21 chair. In addition to such eleven voting members, the president of the
22 uniformed firefighters association of greater New York or such presi-
23 dent's designee, the comptroller of the city of New York or such comp-
24 troller's designee, a member of the board of trustees of the transit
25 police officer's variable supplements fund or such member's designee, a
26 member of the board of trustees of the housing police officer's variable
27 supplements fund or such member's designee, a member of the board of
28 trustees of the transit police superior officers' variable supplements
29 fund or such member's designee, a member of the board of trustees of the
30 housing police superior officers' variable supplements fund or such
31 member's designee, and a member of the board of trustees of the
32 correction officers' variable supplements fund or such member's designee
33 shall serve as non-voting members. Six voting members of the temporary
34 task force shall, at all times, constitute a quorum. Members shall
35 receive no compensation for their services; members (including non-vot-
36 ing members) who are not governmental employees shall be reimbursed for
37 their reasonable expenses incurred during the performance of their
38 duties. Notwithstanding any inconsistent provision of any general,
39 special or local law, no officer or employee of the state or of any
40 political subdivision thereof shall forfeit such officer or employee's
41 office or employment by reason of acceptance of appointment to the
42 temporary task force.

43 4. Within one year of the effective date of this act, the temporary
44 task force shall issue a report containing such findings and recommenda-
45 tions regarding the eligibility of disability pensioners of New York
46 city to receive supplemental payments from the variable supplements fund
47 and any other matters relating thereto. Such report shall be transmitted
48 to the governor, the comptroller, the chair of the Senate civil service
49 and pensions committee and the chair of the assembly governmental
50 employees committee.

51 § 3. This act shall take effect immediately.