

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:

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

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

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

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

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

20 § 2. Section 208-f of the general municipal law is amended by adding a
21 new subdivision 1 to read as follows:

22 1. 1. Notwithstanding any other provision of law to the contrary, and
23 solely for the purposes of this section, a member otherwise covered by
24 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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1 result of an accident sustained in the performance of duty upon which
2 their membership is based, and not as a result of willful negligence on
3 their part, provided that such member died by suicide where:

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

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

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

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

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

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

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

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

34 3. For the purposes of this subdivision, the term "public safety offi-
35 cer" shall mean: (i) any peace officer as defined in section 2.10 of the
36 criminal procedure law; (ii) any correction officer employed by a state
37 or local correctional facility whose duties include maintaining the
38 safety, security, discipline, and custody of incarcerated individuals;
39 (iii) any individual employed on a full-time basis by the state or by a
40 fire department of a municipal corporation, district corporation, or
41 other political subdivision, who is engaged in: (A) firefighting; (B)
42 emergency motor vehicle operation; (C) fire cause and origin investi-
43 gation; (D) the provision of emergency medical services; or (E) hazard-
44 ous materials response; (iv) a legally enrolled member of a volunteer
45 fire company or fire department, or a member of an independent nonprofit
46 firefighting corporation, engaged in the hazards of firefighting; (v)
47 any person acting in good faith at the request or direction of a public
48 safety officer to assist in an emergency response; (vi) any reserve or
49 auxiliary police officer or deputy sheriff while acting under the super-
50 vision and authority of a political subdivision; (vii) any driver or
51 attendant of a licensed emergency medical or advanced life support
52 service engaged in providing emergency care; and (viii) any certified
53 first responder who is a member of an organized service recognized by a
54 local political subdivision to provide initial emergency medical assist-
55 ance prior to the arrival of an ambulance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 8. (1) Notwithstanding any other provision of law to the contrary, and
7 solely for the purposes of determining eligibility for an accidental
8 death benefit and/or special accidental death benefit, a member who is a
9 public safety officer shall be considered to have died as the natural
10 and proximate result of an accident sustained in the line of duty as a
11 public safety officer where such member died by suicide and:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 § 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.