STATE OF NEW YORK

8142

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

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

AN ACT to amend the retirement and social security law and the general municipal law, in relation to accidental disability benefits for certain deputy sheriff members in the sheriff's department of a city with a population of one million or more

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

Section 1. The retirement and social security law is amended by adding a new section 607-m to read as follows:

§ 607-m. Performance of duty disability retirement. a. Any member of the New York city employees' retirement system who is employed by the city of New York as a deputy sheriff, and who becomes physically or mentally incapacitated as the natural and proximate result of an injury, as described in subdivision b of this section, sustained in the performance or discharge of such member's duties, shall be paid a performance of duty disability retirement allowance equal to three-quarters of final average salary, subject to section 13-176 of the administrative code of the city of New York.

b. Notwithstanding any provision of this chapter or of any general or special law to the contrary, for purposes of this section, a member covered by this section is injured when such member contracts HIV (where the member may have been exposed to a bodily fluid of a person under such member's care or treatment, or while such member examined, transported or otherwise had contact with such person, in the performance of such member's duties), tuberculosis or hepatitis, will be presumed to have contracted such disease in the performance or discharge of such member's duties, unless the contrary be proved by competent evidence.

§ 2. The general municipal law is amended by adding a new section 207-r to read as follows:

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

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§ 207-r. Performance of duty disability retirement; New York city deputy sheriffs. Notwithstanding the provisions of any general, special or local law or administrative code to the contrary, a member who is a deputy sheriff in the sheriff's department of a city with a population of one million or more where such employees are drawn from competitive civil service lists and who in performance of such member's duties contracts human immunodeficiency virus (HIV) (where such member may have been exposed to a bodily fluid of a person under such member's care or treatment, or while such member examined, transported, rescued or otherwise had contact with such person, in the performance of such member's duties), tuberculosis or hepatitis shall be presumed to have contracted such disease as a natural and proximate result of an accidental injury received in the performance or discharge of such member's duties, and not resulting from such member's willful negligence, unless the contrary be proved by competent evidence.

§ 3. This act shall take effect immediately.