

BILL TEXT:

STATE OF NEW YORK

—
S. 1341
2757

A.

2007-2008 Regular Sessions

SENATE - ASSEMBLY

January 19, 2007

IN SENATE -- Introduced by Sen. TRUNZO -- read twice and
ordered print-
ed, and when printed to be committed to the Committee on
Civil Service
and Pensions

IN ASSEMBLY -- Introduced by M. of A. EDDINGTON, PHEFFER,
LAVELLE,
TONKO, HOOPER, BENEDETTO -- Multi-Sponsored by -- M. of A.
BOYLAND,
COLTON, JOHN, LAFAYETTE, NOLAN, REILLY, J. RIVERA, N.
RIVERA, ROBIN-
SON, SWEENEY, TOWNS, WEISENBERG, WRIGHT -- read once and
referred to
the Committee on Governmental Employees

AN ACT to amend the general municipal law, in relation to
payment of
special accidental death benefits

**The People of the State of New York, represented in Senate
and Assem-
bly, do enact as follows:**

1 Section 1. The opening paragraph of subdivision a of section
208-f of
2 the general municipal law, as separately amended by chapters
583 and 742
3 of the laws of 2004, is amended to read as follows:
4 Notwithstanding any other provision of law, the special
accidental

5 death benefit provided by this section shall be paid to the
widow or
6 widower or the deceased member's children under the age of
eighteen, or,
7 if a student under the age of twenty-three, if the widow or
widower has
8 died, or if there be no surviving spouse or qualified child,
to the
9 dependent parent or parents, of: (i) a deceased member of a
pension or
10 retirement system of a police department or paid fire
department of a
11 city, town or village; (ii) a deceased paid member of the
police force
12 of the police department of the New York city transit
authority; (iii) a
13 deceased paid member of the police force of the police
department of the
14 New York city housing authority; (iv) a deceased paid member
of the
15 uniformed correction force of the New York city
department of
16 correction; (v) a deceased paid uniformed member of a county
sheriff's
17 department (outside the city of New York); or (vi) a deceased
employee
18 of the city of New York or the New York city health and
hospitals corpo-

EXPLANATION--Matter in ***italics*** (underscored) is new; matter in
brackets

[-] is old law to be omitted.

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1 ration in a title whose duties are those of an emergency
medical techni-
2 cian or advanced emergency medical technician (as those
terms are
3 defined in section three thousand one of the public health
law), or in a
4 title whose duties require the supervision of employees whose
duties are
5 those of an emergency medical technician or advanced
emergency medical
6 technician (as those terms are defined in section three
thousand one of
7 the public health law); or (vi) a deceased paid bridge and
tunnel member
8 of the New York city employees' retirement system, providing
the widow
9 or widower is ineligible to receive benefits pursuant to
section three
10 hundred sixty-one-a of the retirement and social security law
as added

11 by chapter four hundred seventy-two of the laws of nineteen
hundred

12 seventy-eight and the deceased member:

13 § 2. The opening paragraph of subdivision b of section
208-f of the

14 general municipal law, as amended by chapter 634 of the laws of
1984, is

15 amended to read as follows:

16 The special accidental death benefit shall be paid by the
city, town

17 or village which employed the deceased member at the time of
death, and

18 shall consist of a pension which is equal to the salary of the
deceased

19 member, reduced by the sum of each of the following benefits
received by

20 the widow or widower or the deceased member's children under
the age of

21 eighteen, if the widow or widower has died, or if there be no
surviving

22 spouse or qualified child, the dependent parent or parents,
on account

23 of the death of the deceased member:

24 § 3. Subdivision f of section 208-f of the general municipal
law is

25 amended by adding a new paragraph 3 to read as follows:

26 3. If there be no surviving spouse or qualified child
surviving such

27 deceased member, then to his or her dependent father or mother,
as the

28 deceased member shall have nominated by written
designation duly

29 acknowledged; or, if there be no such nomination then to his
or her

30 dependent father and dependent mother in equal shares, to
continue for

31 the life of each parent.

32 § 4. This act shall take effect immediately, and shall be
deemed to

33 have been in full force and effect on and after September 1,
1978.
