

STATE OF NEW YORK

5706

2017-2018 Regular Sessions

IN SENATE

April 26, 2017

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to providing awards to spouses of emergency medical technicians and advanced emergency medical technicians who are killed while engaged in the discharge of duty

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

1 Section 1. Section 3-401 of the administrative code of the city of New
 2 York, as amended by local law number 27 of the city of New York for the
 3 year 1998 and the closing paragraph as amended by chapter 582 of the
 4 laws of 2011, is amended to read as follows:
 5 § 3-401 Awards to spouses of killed firefighters, police officers
 6 [and], transit police officers, emergency medical technicians and
 7 advanced emergency medical technicians. The mayor is authorized and
 8 empowered to make an award to the spouse or domestic partner of a member
 9 of the uniformed force of the police department, fire department,
 10 including emergency medical technicians and advanced emergency medical
 11 technicians employed by the fire department, or uniformed transit police
 12 force, maintained by the New York city transit authority, killed while
 13 engaged in the discharge of duty. Such award shall equal the annual
 14 salary of such member at the time of death, but in no case less than the
 15 full salary payable to a first grade police officer, firefighter ~~[or]~~,
 16 transit police officer, emergency medical technician or advanced emer-
 17 gency medical technician at the date of death of such employee.
 18 In case there shall be no spouse or domestic partner surviving such
 19 member, the award shall be made to the minor child or children surviving
 20 such member. In case there shall be no spouse or domestic partner nor
 21 child nor children so surviving the award may be made to the dependent
 22 mother, father, or other dependents of such member. Such award shall be
 23 made in one payment as soon after the death of such member as may be

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

LBD11176-01-7

S. 5706

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1 possible and shall be in addition to any pension, award or other allow-
2 ances authorized by law.
3 Notwithstanding any other provision of law to the contrary, and solely
4 for the purposes of this section, a member otherwise covered by this
5 section shall be deemed to have been killed while engaged in the
6 discharge of duty upon which his or her membership is based, provided
7 that such member was in active service upon which his or her membership
8 is based at the time that such member was ordered to active duty pursu-
9 ant to Title 10 of the United States Code, with the armed forces of the
10 United States or to service in the uniformed services pursuant to Chap-
11 ter 43 of Title 38 of the United States Code, and such member died while
12 on such active duty or service in the uniformed services on or after
13 June fourteenth, two thousand five while serving on such active military
14 duty or in the uniformed services.
15 § 2. This act shall take effect immediately.

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S5706

SPONSOR: GOLDEN

TITLE OF BILL:

An act to amend the administrative code of the city of New York, in relation to providing awards to spouses of emergency medical technicians and advanced emergency medical technicians who are killed while engaged in the discharge of duty

PURPOSE OR GENERAL IDEA OF BILL:

The purpose of this bill is to provide awards to spouses of killed emergency medical technicians and advanced emergency medical technicians, who died while engaged in the discharge of their duties.

SUMMARY OF PROVISIONS:

Section one of the bill amends section 3-401 of the administrative code of the city of New York to provide an award to surviving spouses of emergency medical technicians and advanced emergency medical technicians killed while discharging their duties.

Section two of the bill provides that this act shall take effect immediately.

JUSTIFICATION:

Section 3-401 of the NYC Administrative Code, in its present form, only provides awards to spouses of killed firefighters, police officers and transit police officers. Like firefighters and police, emergency medical technicians (EMTs) and advanced emergency medical technicians (Paramedics) also work as emergency first responders, and are required to render aid and treatment to patients under extremely dangerous and stressful conditions. Indeed, as made clear by the recent tragic death of Yadira Arroyo, an EMT and mother of five who was killed while performing her duties in the Bronx, the hazards of working as an EMT are so analogous to the characteristics of the work of uniformed police and fire personnel that there is every reason the spouses of EMTs and Paramedics should be given equivalent death benefits in the event of an untimely death while engaged in the performance of their duties.

PRIOR LEGISLATIVE HISTORY:

New bill.

FISCAL IMPLICATIONS:

To be determined.

EFFECTIVE DATE:

This act shall take effect immediately.

STATE OF NEW YORK

7603

2017-2018 Regular Sessions

IN ASSEMBLY

May 3, 2017

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

AN ACT to amend the administrative code of the city of New York, in relation to providing awards to spouses of emergency medical technicians and advanced emergency medical technicians who are killed while engaged in the discharge of duty

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

1 Section 1. Section 3-401 of the administrative code of the city of New
2 York, as amended by local law number 27 of the city of New York for the
3 year 1998 and the closing paragraph as amended by chapter 582 of the
4 laws of 2011, is amended to read as follows:
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7 advanced emergency medical technicians. The mayor is authorized and
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9 of the uniformed force of the police department, fire department,
10 including emergency medical technicians and advanced emergency medical
11 technicians employed by the fire department, or uniformed transit police
12 force, maintained by the New York city transit authority, killed while
13 engaged in the discharge of duty. Such award shall equal the annual
14 salary of such member at the time of death, but in no case less than the
15 full salary payable to a first grade police officer, firefighter [~~or~~],
16 transit police officer, emergency medical technician or advanced emer-
17 gency medical technician at the date of death of such employee.
18 In case there shall be no spouse or domestic partner surviving such
19 member, the award shall be made to the minor child or children surviving
20 such member. In case there shall be no spouse or domestic partner nor
21 child nor children so surviving the award may be made to the dependent
22 mother, father, or other dependents of such member. Such award shall be
23 made in one payment as soon after the death of such member as may be

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LBD11176-01-7

A. 7603

2

1 possible and shall be in addition to any pension, award or other allow-
2 ances authorized by law.

3 Notwithstanding any other provision of law to the contrary, and solely
4 for the purposes of this section, a member otherwise covered by this
5 section shall be deemed to have been killed while engaged in the
6 discharge of duty upon which his or her membership is based, provided
7 that such member was in active service upon which his or her membership
8 is based at the time that such member was ordered to active duty pursu-
9 ant to Title 10 of the United States Code, with the armed forces of the
10 United States or to service in the uniformed services pursuant to Chap-
11 ter 43 of Title 38 of the United States Code, and such member died while
12 on such active duty or service in the uniformed services on or after
13 June fourteenth, two thousand five while serving on such active military
14 duty or in the uniformed services.

15 § 2. This act shall take effect immediately.

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER: A7603

SPONSOR: Abbate

TITLE OF BILL:

An act to amend the administrative code of the city of New York, in relation to providing awards to spouses of emergency medical technicians and advanced emergency medical technicians who are killed while engaged in the discharge of duty

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