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 T H E C O U N C I L

REPORT OF THE GOVERNMENTAL AFFAIRS DIVISION

JEFF BAKER, LEGISLATIVE DIRECTOR

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COMMITTEE ON STATE AND FEDERAL LEGISLATION

#### Hon. Andrew Cohen, Chair

 June 18, 2019

 **By: Council Member Cohen**

 **S5246-A (Gounardes)**

 **A7716-A (Reyes)**

**Preconsidered SLR 13:**

**TITLE:** AN ACT to amend the general municipal law, in relation to disabilities of certain retired firefighters caused by cancer.

**BACKGROUND:**

 This bill seeks to provide parity for members of the Fire Department of the city of New York (“FDNY”) to other fire departments across the state of New York by providing a five-year lookback window for retirees who are diagnosed with lymphatic, digestive, hematological, urinary, neurological, breast, reproductive, or prostate cancer or melanoma with the same presumption of evidence for disability benefits. This legislation would apply proactively to firefighters who entered the FDNY in 2002 and can retire at the earliest at 2022. The lookback provision is necessary because these cancers can often take years to metastasize and a firefighter may not realize that they are sick until after they leave public service.

**PROPOSED LEGISLATION:**

 Section one of this bill amends section 207-kk of the general municipal law, as amended by chapter 531 of the laws of 2003 by establishing a that for any paid member of a fire department in a city of one million or more who has been retired five years or less and contracts certain conditions of cancer that were not present at the time of entry, such diagnosis will be presumptive evidence that the cancer was performed in the discharge of duty.

 Section two of this legislation provides that the New York City Fire Department Pension Fund will implement the intent of this section in providing disability retirement benefits for members that qualify under this bill.

 Section 3 is the effective date.

**FISCAL IMPLICATIONS:**

See Council Finance Division fiscal impact statement.

**EFFECTIVE DATE:**

This legislation shall take effect immediately.