

5058--A

Cal. No. 1353

2013-2014 Regular Sessions

I N   S E N A T E

May 7, 2013

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Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged and said bill committed to the Committee on Rules -- ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to authorize Beth Barsamian to receive an ordinary death benefit of her daughter, Lauren Barsamian

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Notwithstanding any other provision of law to the contrary,  
2     Beth Barsamian shall be hereby eligible to receive the ordinary death  
3     benefit calculated pursuant to section 606 of the retirement and social  
4     security law on account of the death of her daughter, Lauren Barsamian,  
5     who died on October 14, 2005 from a tragic accident that occurred on  
6     October 8, 2005, while employed by the East Ramapo School District, a  
7     member of the New York state teachers' retirement system, and for  
8     reasons not ascribable to Lauren Barsamian's own negligence, and as such  
9     did not afford death coverage to her mother and family. Beth Barsamian  
10    is further authorized to transfer the prior service credit of Lauren  
11    Barsamian in the New York state and local employees' retirement system,  
12    who was employed from September 2002 through August 2005 as a teacher at  
13    the St. Joseph's School for the Deaf, an employer which participates in  
14    the New York state and local employees' retirement system, to the New  
15    York state teachers' retirement system which Lauren Barsamian joined in  
16    September 2005, if on or before December 31, 2013, she files an applica-  
17    tion therefor with the state comptroller. Such transfer shall be deemed  
18    to have taken effect on the beginning date of Lauren Barsamian's employ-  
19    ment with the New York state teachers' retirement system.

20    Transfer of Lauren Barsamian's prior service credit shall be made by  
21    the New York state and local employees' retirement system to the New  
22    York state teachers' retirement system upon notification from the latter

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

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1 retirement system to the former retirement system that Lauren Barsamian  
2 would have met all of the requirements, had she been alive. There shall  
3 not be a transfer of the member's contributions because those monies  
4 have already been paid out to her designated beneficiary.

5 All costs incurred by implementing the provisions of this act due to  
6 past service shall be borne by the employers of members of the New York  
7 state teachers' retirement system.

8 S 2. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow Beth Barsamian, the mother of Lauren Barsamian, to transfer Lauren Barsamian's service credit in the New York State and Local Employees' Retirement System to the New York State Teachers' Retirement System. Lauren Barsamian became a member of the New York State Teachers' Retirement System on September 1, 2005 and died on October 14, 2005 from a tragic accident that occurred on October 8, 2005. Lauren Barsamian was ineligible for death benefit coverage under Paragraph 2 of Section 606 of the Retirement and Social Security Law because she had less than one year of service credit with the New York State Teachers' Retirement System at the time of her death. However she would have been eligible for death benefit coverage had she transferred her service credit in the New York State and Local Employees' Retirement System to the New York State Teachers' Retirement System prior to her death.

The cost of this benefit is equal to the amount of Ms. Barsamian's ordinary death benefit, which is estimated to be \$167,000.

The source of this estimate is Revised Fiscal Note 2013-21 dated June 13, 2013 prepared by the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2013 Legislative Session. I, Richard A. Young, am the Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.