

5058--B

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 -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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, the trans-  
9     fer of her prior service credit as a teacher from September 2002 through  
10    August 2005 at the St. Joseph's School for the Deaf, an employer which  
11    participates in the New York state and local employees' retirement  
12    system, was not completed and as such did not afford death coverage to  
13    her mother and family. Beth Barsamian is further authorized to transfer  
14    the prior service credit of Lauren Barsamian in the New York state and  
15    local employees' retirement system to the New York state teachers'  
16    retirement system which Lauren Barsamian joined on September 1, 2005, if  
17    on or before December 31, 2014, she files an application therefor with  
18    the state comptroller. Such transfer shall be deemed to have taken

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

LBD08612-11-4

1 effect on the beginning date of Lauren Barsamian's membership with the  
2 New York state teachers' retirement system.

3 Transfer of Lauren Barsamian's prior service credit shall be made by  
4 the New York state and local employees' retirement system to the New  
5 York state teachers' retirement system upon notification from the former  
6 retirement system to the latter retirement system that Lauren Barsamian  
7 would have met all of the requirements, had she been alive. There shall  
8 not be a transfer of the member's contributions because those monies  
9 have already been paid out to her designated beneficiary.

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

13 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 Fiscal Note 2014-21 dated March 5, 2014 prepared by the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2014 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.