

6786--C

2015-2016 Regular Sessions

I N   A S S E M B L Y

April 2, 2015

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Introduced by M. of A. McDONALD, BICHOTTE, BRABENEC, COOK, CROUCH, GOTT-FRIED, GRAF, GUNTHER, JAFFEE, MURRAY, PERSAUD, RIVERA, SKOUFIS, STIRPE, PICHARDO, ENGLEBRIGHT, DiPIETRO -- Multi-Sponsored by -- M. of A. BLAKE, BRENNAN, DUPREY, GALEF, GARBARINO, GLICK, KEARNS, MAGEE, McLAUGHLIN, STEC, TENNEY -- read once and referred to the Committee on Governmental Employees -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to increasing the retiree earnings cap

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

1     Section 1. Subdivision 2 of section 212 of the retirement and social  
2 security law, as amended by chapter 74 of the laws of 2006, is amended  
3 to read as follows:

4     2. The earning limitations for retired persons in positions of public  
5 service under this section shall be in accordance with the following  
6 table:

7	For the year	Earnings limitation
8	1996	\$12,500
9	1997	\$13,500
10	1998	\$14,500
11	1999	\$15,500
12	2000	\$17,000
13	2001	\$18,500
14	2002	\$20,000
15	2003	\$25,000

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

LBD07830-06-5

1	2004	\$27,500
2	2005 and 2006	\$27,500
3	2007 [and thereafter] THROUGH 2015	\$30,000
4	2016 AND THEREAFTER	\$35,000

5 S 2. This act shall take effect immediately.

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

This bill would amend Section 212 of the Retirement and Social Security Law to set the amount a retired person may earn in public employment without reduction in retirement allowance during the year 2016 and thereafter, to \$35,000.

If this bill is enacted, insofar as it would affect the New York State and Local Employees' Retirement System and the New York State and Local Police and Fire Retirement System, the resulting 16.7% increase over the current \$30,000 limit, in place since 2007, which is less than the increase in the consumer price index over the same period would not affect retirement patterns. Therefore, the annual cost is estimated to be negligible.

Summary of relevant resources:

The membership data used in measuring the impact of the proposed change was the same as that used in the March 31, 2014 actuarial valuation. Distributions and other statistics can be found in the 2014 Report of the Actuary and the 2014 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2010, 2011, 2012, 2013 and 2014 Annual Report to the Comptroller on Actuarial Assumptions and the Codes Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2014 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This estimate, dated June 1, 2015 and intended for use only during the 2015 Legislative Session, is Fiscal Note No. 2015-127, prepared by the Actuary for the New York State and Local Employees' Retirement System and the New York State and Local Police and Fire Retirement System.