

STATE OF NEW YORK

3327

2017-2018 Regular Sessions

IN ASSEMBLY

January 27, 2017

Introduced by M. of A. McDONALD, BICHOTTE, BRABENEC, COOK, CROUCH, GOTTFRIED, GRAF, GUNTHER, JAFFEE, MURRAY, RIVERA, SKOUFIS, STIRPE, PICCARDI, ENGLEBRIGHT, DiPIETRO, HOOPER, LUPARDO, SANTABARBARA, WOERNER, MAYER -- Multi-Sponsored by -- M. of A. BLAKE, BUCHWALD, GALEF, GARBARINO, GLICK, KEARNS, MAGEE, McLAUGHLIN, STEC -- read once and referred to the Committee on Governmental Employees

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:

	For the year	Earnings limitation
7	1996	\$12,500
8	1997	\$13,500
9	1998	\$14,500
10	1999	\$15,500
11	2000	\$17,000
12	2001	\$18,500
13	2002	\$20,000
14	2003	\$25,000
15	2004	\$27,500
16	2005 and 2006	\$27,500
17	2007 [and thereafter]	\$30,000
18	<u>through 2017</u>	
19	<u>2018 and thereafter</u>	<u>\$35,000</u>

20 § 2. This act shall take effect immediately.

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

LBD04812-02-7

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 2018 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, 2016 actuarial valuation. Distributions and other statistics can be found in the 2016 Report of the Actuary and the 2016 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2015 and 2016 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, 2016 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 January 19, 2017, and intended for use only during the 2017 Legislative Session, is Fiscal Note No. 2017-39, prepared by the Actuary for the New York State and Local Retirement System.