

# STATE OF NEW YORK

4922

2021-2022 Regular Sessions

## IN ASSEMBLY

February 9, 2021

Introduced by M. of A. MONTESANO, DiPIETRO -- Multi-Sponsored by -- M. of A. J. M. GIGLIO, PALMESANO, RA -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the retirement and social security law, in relation to the management of retirement loans

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions e and f of section 50 of the retirement and  
2 social security law, subdivision e as amended by chapter 705 of the laws  
3 of 1964, are amended to read as follows:

4 e. The borrowing member's [~~annuity~~] annuity savings account shall not  
5 be reduced by the loan obtained but a subsidiary record shall be main-  
6 tained reflecting the outstanding balance on such loan, as well as the  
7 allocation of the payroll deductions to principal and interest. Upon the  
8 member's withdrawal of his accumulated contributions or retirement, the  
9 balance due on his loan shall be deducted from the amount to his credit  
10 at such time in the annuity savings fund. Upon the death of the member  
11 [~~prior to the loan being fully insured, that portion thereof which is~~  
12 ~~uninsured, shall similarly be deducted from the amount to his credit at~~  
13 ~~the time of his death in the annuity savings fund]~~ the corresponding  
14 survivor's benefit will be decreased in an amount prescribed by the  
15 comptroller based upon an amortization schedule calculated using the  
16 amount of principal outstanding, interest rate and estimated length of  
17 benefit payment as prescribed by actuarial techniques prescribed by the  
18 comptroller, until such time that all outstanding principal and interest  
19 amounts have been satisfactorily repaid.

20 f. In the case of any benefit wherein the amount of pension will be  
21 determined, in part, by the amount of annuity, such annuity shall be  
22 computed upon the basis of accumulated contributions as if there were no  
23 loan or no additional contributions. The resulting retirement allowance  
24 shall then be reduced by [~~the actuarial equivalent of the present value~~]

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

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1 ~~of any outstanding loan~~ ] an amount prescribed by the comptroller based  
2 upon an amortization schedule calculated using the amount of principal  
3 outstanding, interest rate and estimated length of benefit payment as  
4 prescribed by actuarial techniques prescribed by the comptroller, until  
5 such time that all outstanding principal and interest amounts have been  
6 satisfactorily repaid.

7 § 2. This act shall take effect immediately.