STATE OF NEW YORK

8466

2025-2026 Regular Sessions

IN ASSEMBLY

May 16, 2025

Introduced by M. of A. GIGLIO -- read once and referred to the Committee on Governmental Employees

AN ACT in relation to granting retroactive Tier II membership in the New York state and local police and fire retirement system to Giuseppe T. Rosini

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

Section 1. Notwithstanding any other provision of law, Giuseppe T. Rosini, a member of the New York state and local police and fire retirement system, who was employed by the Wading River Fire District from October 2004 through December 2008, who, for reasons not ascribable to his own negligence, and as acknowledged as an error or mistake by the Wading River Fire Department in failing to notify Giuseppe T. Rosini of his eligibility to enroll or providing an opportunity to enroll in such retirement system based on his part-time employment with the Wading River Fire Department, did not file a membership application in the New York state and local police and fire retirement system during such employment with the Wading River Fire District, and who would have been eligible to enroll as a member in the New York State and Local Police and Fire Retirement System as a Tier II status member at the time of his employment with the Wading River Fire Department, did not become a member of the New York state and local police and fire retirement system until December 15, 2014, which gave him Tier VI status instead of Tier II status.

§ 2. Notwithstanding any other provision of law, Giuseppe T. Rosini, who is currently employed by the town of Riverhead, may be deemed to have become a member of the New York state and local police and fire retirement system on October 25, 2004 if, within six months of the effective date of this act, he shall file with the state comptroller a written request to that effect. Upon the granting of such retroactive membership, Giuseppe T. Rosini shall not be granted a refund of any

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

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employee contribution made by him to the New York state and local police and fire retirement system and any and all such contributions shall be credited toward and used to pay costs and outstanding contributions due and owing to the New York state and local police and fire retirement system associated with the implementation of this act.

§ 3. All past service costs associated with the implementation of this act that are related to Giuseppe T. Rosini's employment with the Wading River Fire District shall be borne by the Wading River Fire District.

§ 4. All other past service costs associated with the implementation of this act shall be borne by the town of Riverhead.

§ 5. This act shall take effect immediately.

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

This bill would grant Tier 2 status in the New York State and Local Police and Fire Retirement System to Giuseppe T. Rosini, a current Tier 6 member employed by the Town of Riverhead, by changing their date of membership to October 25, 2004, their first date of employment with Wading River Fire District. There will be no refund of member contributions.

If this bill is enacted during the 2025 Legislative Session, we anticipate that there will be an increase of approximately $18,000 in the annual contributions of the Town of Riverhead for the fiscal year ending March 31, 2026. In future years this cost will vary as the billing rates and salary of Giuseppe T. Rosini change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $2,880 which will be borne by the Town of Riverhead. This estimate assumes that payment will be made on February 1, 2026.

Summary of relevant resources:

Membership data as of March 31, 2024 was used in measuring the impact of the proposed change, the same data used in the April 1, 2024 actuarial valuation. Distributions and other statistics can be found in the 2024 Report of the Actuary and the 2024 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2024 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, 2024 New York State and Local Retirement System Financial Statements and Supplementary Information.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated May 5, 2025, and intended for use only during the 2025 Legislative Session, is Fiscal Note No. 2025-154. As Chief Actuary of the New York State and Local Retirement System, I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member.