STATE OF NEW YORK

6440

2025-2026 Regular Sessions

IN SENATE

March 13, 2025

Introduced by Sen. BORRELLO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT authorizing Brian Studley, a police officer employed by the New York state university police department at SUNY Fredonia, to participate in the New York state and local police and fire retirement system

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 to the contrary, Brian Studley, who is currently employed with the New York state university police department at SUNY Fredonia and who is currently a member of the New York state and local employees' retirement system, who through no fault of his own did not become a member of the New York state and local police and fire retirement system on December 19, 2015 when provided the opportunity to transition to such retirement system, pursuant to chapter 561 of the laws of 2015, shall be deemed to have been a member of the New York state and local police and fire retirement system on such date, provided that an application is filed with the head of the New York state and local police and fire retirement system together with a certification that Brian Studley is not barred from participation in such retirement plan as the result of his own negligence, within one year from the effective date of this act.

§ 2. No employee contributions made to the New York state and local employees' retirement system by any state university police officer who elects to transfer pursuant to this act shall be returned to such officer. Such employee contributions shall be used to offset any past service costs incurred by operation of the provisions of this act.

§ 3. All past services costs associated with the implementation of this act shall be borne by the state of New York.

§ 4. This act shall take effect immediately.

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

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

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This bill would deem Brian Studley, a State University police officer currently employed by the State University of New York at Fredonia, to have become a member of the New York State and Local Police and Fire Retirement System, covered under the provisions of section 383-d of the Retirement and Social Security Law (RSSL), effective December 19, 2015. Brian Studley is currently a member of the New York State and Local Employees' Retirement System and is covered under the provisions of Article 15 of the RSSL.

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 State of New York for the fiscal year ending March 31, 2026. In future years this cost will vary as the billing rates and salary of Brian Studley change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $76,200 which will be borne by the State of New York as a one-time payment. This estimate assumes that payment will be made on March 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 March 12, 2025, and intended for use only during the 2025 Legislative Session, is Fiscal Note No. 2025-100. 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.