STATE OF NEW YORK

8216

2025-2026 Regular Sessions

IN SENATE

May 21, 2025

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

AN ACT granting retroactive tier II membership in the New York state and local police and fire retirement system to Daniel Rizzo

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, Daniel Rizzo, who was employed with Monroe county sheriff's office and who is currently a member of the New York state and local police and fire 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 October 19, 2009 when first employed by the Monroe county sheriff's office, shall be deemed to have been a member of the New York state and local police and fire retirement system on such date he commenced his employment and shall be granted Tier II status in the New York state police and fire retirement system, provided that an application is filed with the head of the New York state and local police and fire retirement system within one year from the effective date of this act. Upon the granting of such retroactive membership, Daniel Rizzo shall be granted a refund of any employee contribution made by him to the New York state and local police and fire retirement system which would not have been made had Tier II status been granted in the New York state and local police and fire retirement system on October 19, 2009.

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

§ 3. This act shall take effect immediately.

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

This bill would provide Daniel Rizzo with a date of membership of October 19, 2009, their date of first employment with the Monroe County Sheriff's Office, resulting in Tier 2 status in the New York State and Local Police and Fire Retirement System. Daniel Rizzo is currently a

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

LBD11115-03-5

Tier 5 member employed by the City of Rochester. Member contributions will be refunded.

If this bill is enacted during the 2025 Legislative Session, we anticipate that there will be an increase of approximately $9,100 in the annual contributions of the City of Rochester for the fiscal year ending March 31, 2026. In future years this cost will vary as the billing rates and salary of Daniel Rizzo change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $56,500 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 May 6, 2025, and intended for use only during the 2025 Legislative Session, is Fiscal Note No. 2025-148. 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.