

7711

2009-2010 Regular Sessions

I N A S S E M B L Y

April 22, 2009

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

AN ACT to authorize the county of Orleans, to offer an optional twenty
year retirement plan to deputies Shannon E. Brett and James A. DeFi-
lipps

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Notwithstanding any other provision of law to the contrary,
2 in the county of Orleans, a participating employer in the New York state
3 and local employee retirement system, which previously elected to offer
4 the optional twenty year retirement plan, established pursuant to
5 section 553 of the retirement and social security law, to deputies
6 employed by such county, is hereby authorized to make participation in
7 such plan available to Shannon E. Brett and James A. DeFilipps, deputy
8 sheriffs employed by the county of Orleans, who, for reasons not
9 ascribable to their own negligence failed to make a timely application
10 to participate in such optional twenty year retirement plan. The county
11 of Orleans may so elect by filing with the state comptroller, on or
12 before December 31, 2009, a resolution of its governing body together
13 with certification that such deputy did not bar himself from partic-
14 ipation in such retirement plan as a result of his own negligence.
15 Thereafter, such deputy may elect to be covered by the provisions of
16 section 553 of the retirement and social security law, and shall be
17 entitled to the full rights and benefits associated with coverage under
18 such section, by filing a request to that effect with the state comp-
19 troller on or before June 30, 2010.

20 S 2. All employer costs associated with implementing the provisions of
21 this act shall be borne by the county of Orleans.

22 S 3. 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.

LBD09242-01-9

This bill will authorize Orleans County to reopen the provisions of Section 553 of the Retirement and Social Security Law for deputy sheriffs Shannon E. Brett and James A. DeFilipps who are currently not covered by that Section.

If this bill is enacted, we anticipate that there would be an estimated increase in the annual contributions of Orleans County of approximately \$3,100 for the fiscal year ending March 31, 2010.

In addition to the annual contributions discussed above, there will be immediate past service cost of approximately \$22,500 which will be borne by Orleans County, assuming a payment date of February 1, 2010.

This estimate, dated December 23, 2008 and intended for use only during the 2009 Legislative Session, is Fiscal Note No. 2009-43, prepared by the Actuary for the New York State and Local Employees' Retirement System.