S T A T E O F N E W Y O R K

8187

2009-2010 Regular Sessions

I N A S S E M B L Y

May 7, 2009

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

AN ACT granting retroactive tier I membership in the New York state and local employees' retirement system to Arlene Samos

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, Arlene Samos, a member of the New York state and local employees' retirement system, who was employed on October 10, 1965, by the county of Suffolk, who, for reasons not ascribable to her own negligence, did not file a membership application in such system until September 27, 1973, which gave her Tier II status instead of Tier I status, where she would have been had she been able to file a membership application when she became a permanent employee on October 10, 1965, may be deemed to have become a member of the New York state and local employees' retirement system on October 10, 1965 if on or before December 31, 2009 she shall file with the state comptroller a written request to that effect. Upon the granting of such retroactive membership, Arlene Samos shall not be granted a refund of any employee contribution made by her to the New York state and local employees' retirement system.

S 2. Any costs incurred in implementing the provisions of this act shall be borne by the county of Suffolk.

S 3. This act shall take effect immediately.

FISCAL NOTE.--In estimating this cost, we have assumed the legislation will specify the following:

1. When drafted, the legislation will affect only Arlene Samos.

2. Her date of membership in the New York State and Local Employees' Retirement System will become October 10, 1965.

3. All past service costs incurred due to its enactment will be borne by the State of New York and all participating employers in the New York

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

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State and Local Employees' Retirement System if no employer is specified.

4. Unlike those members who qualified for Tier reinstatement, all employee contributions will be refunded to Arlene Samos.

If this legislation is enacted during the 2009 legislative session, and Arlene Samos becomes a tier 1 member, we anticipate that there will be an increase of approximately $2,700 in the annual contributions of the Suffolk County OTB Corporation for the fiscal year ending March 31, 2010.

In addition to the annual contributions discussed above, we anticipate that there will be an immediate past service cost of approximately $114,000, which will be borne by the State of New York and all participating employers in the New York State and Local Employees' Retirement System.

If the employee contributions are not refunded to Arlene Samos, then the past service cost of $114,000 would be reduced to $68,600.

This fiscal note was prepared by Teri Landin and is intended for use during the 2009 legislative session only.