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

9878

I N A S S E M B L Y

February 5, 2010

Introduced by M. of A. BOYLE -- 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 1, 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 February 5, 1991, which gave her Tier IV 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 1, 1965, may be deemed to have become a member of the New York state and local employees' retirement system on October 1, 1965 if on or before December 31, 2010 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 past service costs incurred in implementing the provisions of this act shall be borne by the state.

S 3. This act shall take effect immediately.

FISCAL NOTE.-- This bill would deem Arlene D. Samos, a member of the New York State and Local Employees' Retirement System, to have become a member of such system on October 1, 1965, thereby granting her Tier 1 status. There will be no return of member contributions to Arlene D. Samos.

If this bill is enacted, we anticipate that there will be an increase of approximately $5,400 in the annual contributions of the Suffolk County OTB Corporation for the fiscal year ending March 31, 2011.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $60,800 which would be

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

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borne by the State of New York as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2011.

This estimate, dated January 19, 2010 and intended for use only during the 2010 Legislative Session, is Fiscal Note No. 2010-78, prepared by the Actuary for the New York State and Local Employees' Retirement System.