

1816

2009-2010 Regular Sessions

I N S E N A T E

February 9, 2009

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

AN ACT to amend the retirement and social security law, the education law and the administrative code of the city of New York, in relation to providing cost-of-living adjustments

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

1 Section 1. Subdivision c of section 78-a of the retirement and social
2 security law, as added by chapter 125 of the laws of 2000, is amended to
3 read as follows:
4 c. Said cost-of-living adjustment shall be computed on a base benefit
5 amount not to exceed eighteen thousand dollars of the annual retirement
6 allowance defined in subdivision b of this section. EFFECTIVE ON THE
7 FIRST DAY OF SEPTEMBER, TWO THOUSAND NINE, SAID COST-OF-LIVING ADJUST-
8 MENT SHALL BE COMPUTED ON A BASE BENEFIT AMOUNT NOT TO EXCEED
9 TWENTY-FIVE THOUSAND DOLLARS OF THE ANNUAL RETIREMENT ALLOWANCE DEFINED
10 IN SUBDIVISION B OF THIS SECTION.
11 S 2. Subdivision c of section 378-a of the retirement and social secu-
12 rity law, as added by chapter 125 of the laws of 2000, is amended to
13 read as follows:
14 c. Said cost-of-living adjustment shall be computed on a base benefit
15 amount not to exceed eighteen thousand dollars of the annual retirement
16 allowance defined in subdivision b of this section. EFFECTIVE ON THE
17 FIRST DAY OF SEPTEMBER, TWO THOUSAND NINE, SAID COST-OF-LIVING ADJUST-
18 MENT SHALL BE COMPUTED ON A BASE BENEFIT AMOUNT NOT TO EXCEED
19 TWENTY-FIVE THOUSAND DOLLARS OF THE ANNUAL RETIREMENT ALLOWANCE DEFINED
20 IN SUBDIVISION B OF THIS SECTION.
21 S 3. Subdivision c of section 532-a of the education law, as added by
22 chapter 125 of the laws of 2000, is amended to read as follows:
23 c. Said cost-of-living adjustment shall be computed on a base benefit
24 amount not to exceed eighteen thousand dollars of the annual retirement

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

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1 allowance defined in subdivision b of this section. EFFECTIVE ON THE
2 FIRST DAY OF SEPTEMBER, TWO THOUSAND NINE, SAID COST-OF-LIVING ADJUST-
3 MENT SHALL BE COMPUTED ON A BASE BENEFIT AMOUNT NOT TO EXCEED
4 TWENTY-FIVE THOUSAND DOLLARS OF THE ANNUAL RETIREMENT ALLOWANCE DEFINED
5 IN SUBDIVISION B OF THIS SECTION.

6 S 4. Subdivision c of section 13-696 of the administrative code of the
7 city of New York, as added by chapter 125 of the laws of 2000, is
8 amended to read as follows:

9 c. Said cost-of-living adjustment shall be computed on a base benefit
10 amount not to exceed eighteen thousand dollars of the annual fixed
11 retirement allowance defined in subdivision b of this section. EFPEC-
12 TIVE ON THE FIRST DAY OF SEPTEMBER, TWO THOUSAND NINE, SAID COST-OF-LIV-
13 ING ADJUSTMENT SHALL BE COMPUTED ON A BASE BENEFIT AMOUNT NOT TO EXCEED
14 TWENTY-FIVE THOUSAND DOLLARS OF THE ANNUAL RETIREMENT ALLOWANCE DEFINED
15 IN SUBDIVISION B OF THIS SECTION.

16 S 5. This act shall take effect immediately.

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

This bill would provide an increase in the defined benefit cost-of-living adjustment (COLA) for New York public retirement systems. Starting with a payment in September 2009 the annual cost-of-living adjustment will be computed on a base benefit amount not to exceed \$25,000.

Insofar as this bill affects the New York State and Local Employees' Retirement System and the New York State and Local Police and Fire Retirement System, if this bill were enacted there would be an estimated first year cost of approximately \$91 million to the State of New York, \$122 million to the participating employers in the New York State and Local Employees' Retirement System and \$23 million to the participating employers in the New York State and Local Police and Fire Retirement System.

This estimate, dated December 12, 2008 and intended for use only during the 2009 Legislative Session, is Fiscal Note No. 2009-61, prepared by the Actuary for the New York State and Local Employees' Retirement System and the New York State and Local Police and Fire Retirement System.