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

S. 4129--A A. 7511--A

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

April 14, 2009

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to the employment of police officers in the town of Southampton; and to repeal certain provisions of such law relating thereto

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

Section 1. Subdivision m of section 384-d of the retirement and social security law is REPEALED and a new subdivision m is added to read as follows:

M. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW, IF THE TOWN BOARD OF THE TOWN OF SOUTHAMPTON ELECTS TO MAKE THE BENEFITS OF THIS SECTION AVAILABLE TO THE MEMBERS OF ITS POLICE DEPARTMENT, EACH MEMBER OF SUCH DEPARTMENT SHALL BE SEPARATED FROM SERVICE UPON COMPLETION OF TWENTY YEARS OF SERVICE, PROVIDED, HOWEVER, THAT THE TOWN BOARD MAY PERMIT A MEMBER TO CONTINUE IN SERVICE ON AN ANNUAL BASIS AFTER THE COMPLETION OF TWENTY YEARS OF SERVICE, BUT IN NO EVENT SHALL SUCH ANNUAL SERVICE BE CONTINUED AFTER A MEMBER HAS ATTAINED AGE FIFTY-FIVE UNLESS SUCH MEMBER HAS NOT ATTAINED TWENTY YEARS OF SERVICE, EXCEPT HOWEVER, THAT MEMBERS OF SUCH DEPARTMENT WHO HOLD THE RANK OF SERGEANT OR HIGHER

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

LBD04040-03-0

WITHIN SUCH DEPARTMENT MAY BE PERMITTED BY THE TOWN BOARD TO REMAIN IN SERVICE UNTIL THE MEMBER HAS ATTAINED AGE SIXTY.

S 2. This act shall take effect immediately.

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

This bill will amend Section 384-d(m) so as to not force a police officer employed by the Town of Southampton to retire after attaining age 55 without 20 years of service.

If this bill is enacted, there will be no cost.

This estimate, dated January 29, 2010, and intended for use only during the 2010 Legislative Session, is Fiscal Note No. 2010-86, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.