

2009-2010 Regular Sessions

I N S E N A T E

January 22, 2009

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

AN ACT to amend the administrative code of the city of New York, in relation to the benefits payable by the police officer's variable supplements fund provided for in such code

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

1 Section 1. Subdivision 5 of section 13-268 of the administrative code  
2 of the city of New York, as amended by chapter 247 of the laws of 1988,  
3 is amended to read as follows:

4 5. "Pension fund beneficiary". [Any] EXCEPT AS PROVIDED IN SUBDIVISION  
5 F OF SECTION 13-271 OF THIS SUBCHAPTER, ANY person who receives a  
6 retirement allowance by reason of having retired, on or after October  
7 first, nineteen hundred sixty-eight, for service (with credit for twenty  
8 or more years of service creditable toward the minimum period) as a  
9 member of pension fund, subchapter one or pension fund, subchapter two  
10 and as a police officer.

11 S 2. Paragraph 2 of subdivision e of section 13-270 of the administra-  
12 tive code of the city of New York, as added by chapter 247 of the laws  
13 of 1988, is amended to read as follows:

14 (2) The actuary shall base such annual valuation of liabilities only  
15 (A) upon the persons who, as of each such June thirtieth, are pension  
16 fund beneficiaries OR PERSONS ELIGIBLE TO RECEIVE SUPPLEMENTAL BENEFITS  
17 PURSUANT TO SUBDIVISION F OF SECTION 13-271 OF THIS SUBCHAPTER and (B)  
18 upon the persons who, being police officers in service as of such June  
19 thirtieth, may be actuarially expected to retire thereafter as police  
20 officers for service with twenty or more years of service creditable  
21 toward the minimum period.

22 S 3. Section 13-271 of the administrative code of the city of New York  
23 is amended by adding a new subdivision f to read as follows:

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

1 F. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF THIS SUBCHAPTER OR  
2 ANY BENEFIT PLAN OR PAYMENT RESOLUTION THAT WAS IN EFFECT PRIOR TO JULY  
3 FIRST, NINETEEN HUNDRED EIGHTY-EIGHT, ANY DISCONTINUED MEMBER AS DEFINED  
4 IN SUBDIVISION TWENTY-TWO OF SECTION 13-214 OF THIS CHAPTER, WHO DISCON-  
5 TINUED SERVICE AS A POLICE OFFICER ON OR AFTER JULY FIRST, NINETEEN  
6 HUNDRED SIXTY-NINE, BUT PRIOR TO JULY NINETEENTH, NINETEEN HUNDRED  
7 EIGHTY-NINE SHALL BE DEEMED TO BE A PENSION FUND BENEFICIARY FOR  
8 PURPOSES OF ELIGIBILITY TO RECEIVE SUPPLEMENTAL BENEFITS UNDER THIS  
9 SECTION FOR ANY PERIOD OF TIME FOR WHICH SUCH DISCONTINUED MEMBER  
10 RECEIVES PAYMENTS OF A DEFERRED RETIREMENT ALLOWANCE PURSUANT TO SECTION  
11 13-256 OF THIS CHAPTER, AND THE DATE OF RETIREMENT OF SUCH DISCONTINUED  
12 MEMBER, FOR PURPOSES OF APPLYING THE REQUIREMENTS OF THIS SECTION WHICH  
13 DETERMINE THE ELIGIBILITY OF A PENSION FUND BENEFICIARY TO RECEIVE  
14 SUPPLEMENTAL BENEFITS UNDER THIS SECTION, SHALL BE DEEMED TO BE THE  
15 FIRST DAY OF THE PERIOD FOR WHICH SUCH DISCONTINUED MEMBER FIRST BEGAN  
16 RECEIVING PAYMENTS OF A DEFERRED RETIREMENT ALLOWANCE PURSUANT TO  
17 SECTION 13-256 OF THIS CHAPTER.

18 S 4. This act shall take effect immediately and shall be deemed to  
19 have been in full force and effect on and after July 1, 1988.