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

5057--A

2011-2012 Regular Sessions

I N A S S E M B L Y

February 11, 2011

Introduced by M. of A. ABBATE, STEVENSON -- Multi-Sponsored by -- M. of A. COLTON, COOK, HOOPER, REILLY -- 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 eligibility for retirement of members of the New York state and local employees' retirement system

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

Section 1. Section 442 of the retirement and social security law is amended by adding a new subdivision c to read as follows:

C. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A MEMBER OF THE NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM MAY RETIRE WITHOUT REDUCTION OF HIS OR HER RETIREMENT BENEFIT UPON COMPLETION OF AT LEAST THIRTY-FIVE OR MORE YEARS OF SERVICE REGARDLESS OF AGE.

S 2. Section 503 of the retirement and social security law is amended by adding a new subdivision e to read as follows:

E. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A MEMBER OF THE NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM MAY RETIRE WITHOUT REDUCTION OF HIS OR HER RETIREMENT BENEFIT UPON COMPLETION OF AT LEAST THIRTY-FIVE OR MORE YEARS OF SERVICE REGARDLESS OF AGE.

S 3. Section 603 of the retirement and social security law is amended by adding a new subdivision u to read as follows:

U. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A MEMBER OF THE NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM MAY RETIRE WITHOUT REDUCTION OF HIS OR HER RETIREMENT BENEFIT UPON COMPLETION OF AT LEAST THIRTY-FIVE OR MORE YEARS OF SERVICE REGARDLESS OF AGE.

S 4. This act shall take effect immediately and shall be deemed to be in full force and effect on and after June 30, 2012.

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

LBD07900-02-2

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

This bill would allow Tiers 2, 3, 4 and 5 members of the New York State and Local Employees' Retirement System to retire without a benefit reduction due to early retirement upon the completion of at least thirty-five (35) years of service, without regard to age.

If this bill is enacted, we anticipate that there would be estimated additional annual contributions of approximately $4.7 million to the State of New York and $6.8 million to the participating employers in the New York State Local Employees' Retirement System.

Summary of relevant resources:

Data: March 31, 2011 Actuarial Year End File with distributions of membership and other statistics displayed in the 2011 Report of the Actuary and 2011 Comprehensive Annual Financial Report.

Assumptions and Methods: 2010 and 2011 Annual Report to the Comptroller on Actuarial Assumptions, Codes Rules and Regulations of the State of New York: Audit and Control.

Market Assets and GASB Disclosures: March 31, 2011 New York State and Local Retirement System Financial Statements and Supplementary Information.

Valuations of Benefit Liabilities and Actuarial Assets: summarized in the 2011 Actuarial Valuations report.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This estimate, dated November 21, 2011, and intended for use only during the 2012 Legislative Session, is Fiscal Note No. 2012-29 prepared by the Actuary for the New York State and Local Employees' Retirement System.