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

7771

2011-2012 Regular Sessions

I N A S S E M B L Y

May 16, 2011

Introduced by M. of A. GIGLIO -- read once and referred to the Committee on Governmental Employees

AN ACT to authorize the New York state teachers' retirement system to accept and consider an application for disability retirement benefits from Cynthia Gimbrone

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

Section 1. Notwithstanding any provision of section 511 of the education law and section 605 of the retirement and social security law to the contrary, the application for disability retirement benefits from the New York state teachers' retirement system to be filed by Cynthia Gimbrone, who joined such retirement system on September 1, 1991, who was employed as a teacher by the Central Islip union free school district during the 2002-2003 school year, who while engaged in her duties as a teacher during such employment suffered permanent disabling injuries, and who terminated her employment on May 20, 2003, shall be considered by the governing body of the New York state teachers' retirement system as if such application had been filed in a timely manner.

S 2. Any application authorized by this act shall be filed by Cynthia Gimbrone within 12 months of the effective date of this act.

S 3. Any disability retirement benefits to which Cynthia Gimbrone may be entitled upon approval of an application submitted pursuant to section one of this act, shall be deemed to have commenced on and after June 30, 2003.

S 4. All costs associated with implementing the provisions of this act shall be borne by the employers of members of the New York state teachers' retirement system.

S 5. This act shall take effect immediately.

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

This bill would allow Cynthia Gimbrone, a vested member of the New York State Teachers' Retirement System, who was last employed by the

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

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Central Islip School District during the 2002-2003 school year and suffered permanent disabling injuries while engaged in her teaching duties to file an application for disability retirement with the New York State Teachers' Retirement System effective June 30, 2003. Ms. Gimbrone must file an application for disability retirement with the New York State Teachers' Retirement System within 12 months of the effective date of this act, and it shall then be considered to have been filed in a timely manner. Any disability retirement benefit to which Ms. Gimbrone is entitled to receive based upon the approval of her application shall be deemed to commence on June 30, 2003.

The cost of this benefit, including benefits retroactive to June 30, 2003, assuming her application for disability retirement is approved, is equal to the increase in the present value of liabilities, which is estimated to be $243,000.

The source of this estimate is Fiscal Note 2011-44 dated May 4, 2011 prepared by the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2011 Legislative Session.