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

3440--B

2011-2012 Regular Sessions

I N S E N A T E

February 22, 2011

Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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

AN ACT relating to a waiver of earnings limitation for certain retirees of the New York state and local police and fire retirement system who are employed by the state university

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

Section 1. Notwithstanding any other provision of general or special law, local law and/or charter, the earnings limitations contained in any such general or special law, local law and/or charter and applicable to the employment of persons in a position or positions in public service in any calendar year while retired and receiving a retirement allowance shall not apply to any person employed by the state university of New York or by a community college under a program of the state university during the whole of any calendar year beginning with the calendar year in which this act shall have become a law who meets all of the following requirements; such person may continue as retired and without loss, suspension or diminution of his or her retirement allowance, provided: (a) such person retired while a member of the New York state and local police and fire retirement system; (b) such person is entitled to receive a retirement allowance from such retirement system immediately prior to the commencement date of such employment by the state university or community college under a program of the state university, as the case may be, and (c) such retired person is granted a waiver of retirement earnings limitation by the chancellor of the state university of New York or the president of a community college under a program of the state university, if such person is hired as a member of the faculty or director of public safety, as the case may be.

S 2. This act shall take effect January 1, 2013.

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

LBD00515-03-1