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

7126

2013-2014 Regular Sessions

I N A S S E M B L Y

May 1, 2013

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

AN ACT to amend the retirement and social security law, in relation to authorizing enrollment in the section 384-d retirement plan for all new members of the New York state and local police and fire retirement system

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

Section 1. The retirement and social security law is amended by adding a new section 1201-a to read as follows:

S 1201-A. RETIREMENT PLAN. NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY, MEMBERS WHO FIRST BECOME MEMBERS OF THE NEW YORK STATE AND LOCAL POLICE AND FIRE RETIREMENT SYSTEM ON OR AFTER JANUARY FIRST, TWO THOUSAND FOURTEEN AND ARE EMPLOYED BY AN EMPLOYER WHO HAS ELECTED THE BENEFITS OF SECTION THREE HUNDRED EIGHTY-FOUR-D OF THIS CHAPTER SHALL AUTOMATICALLY BE ENROLLED IN SUCH SECTION THREE HUNDRED EIGHTY-FOUR-D RETIREMENT PLAN. ANY MEMBER SO ENROLLED IN THE SECTION THREE HUNDRED EIGHTY-FOUR-D RETIREMENT PLAN MAY THEREAFTER WITHDRAW FROM SUCH PLAN.

S 2. This act shall take effect January 1, 2014.

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

This bill will provide automatic enrollment into the provisions of section 384-d of the Retirement and Social Security Law for members who first become members of the New York State and Local Police and Fire Retirement System on or after January 1, 2014 who are employed by an employer who has elected the benefits of such plan. Any member so enrolled may thereafter withdraw from such plan.

If this bill is enacted, there would be no cost since the enrollment into such plan is already provided by law if the member files within the first year of employment.

Summary of relevant resources:

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

LBD10513-01-3

Data: March 31, 2012 Actuarial Year End File with distributions of membership and other statistics displayed in the 2012 Report of the Actuary and 2012 Comprehensive Annual Financial Report.

Assumptions and Methods: 2010, 2011 and 2012 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, 2012 New York State and Local Retirement System Financial Statements and Supplementary Information.

Valuations of Benefit Liabilities and Actuarial Assets: summarized in the 2012 Actuarial Valuations report.

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

This estimate, dated April 15, 2013 and intended for use only during the 2013 Legislative Session, is Fiscal Note No. 2013-47, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.