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

5543

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

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

AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to permitting certain New York city correction members to borrow from their accumulated member contributions and to repeal certain provisions of the retirement and social security law relating thereto

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

Section 1. Paragraph 8 of subdivision d of section 445-a of the retirement and social security law is REPEALED and paragraphs 9 and 10 are renumbered paragraphs 8 and 9.

S 2. Paragraph 12 of subdivision d of section 445-c of the retirement and social security law is REPEALED and paragraphs 13, 14 and 15 are renumbered paragraphs 12, 13 and 14.

S 3. Paragraph 9 of subdivision e of section 504-a of the retirement and social security law is REPEALED.

S 4. Paragraph 13 of subdivision e of section 504-b of the retirement and social security law is REPEALED.

S 5. Subdivision a of section 13-140 of the administrative code of the city of New York, as amended by chapter 642 of the laws of 1985, is amended to read as follows:

a. Any member in city service who shall have been a member continuously at least three years, may borrow from the contingent reserve fund, subject to such rules and regulations as may be approved by such board, an amount not exceeding THE SUM OF (I) seventy-five per centum of the amount in his or her account in the annuity savings fund, (II) ALL ADDITIONAL CONTRIBUTIONS, TOGETHER WITH INTEREST THEREON, MADE BY SUCH MEMBER PURSUANT TO SECTION FOUR HUNDRED FORTY-FIVE-A OF THE RETIREMENT AND SOCIAL SECURITY LAW, AND (III) ALL ADDITIONAL CONTRIBUTIONS, TOGETHER WITH INTEREST THEREON, MADE BY SUCH MEMBER PURSUANT TO SECTION FOUR

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

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HUNDRED FORTY-FIVE-C OF THE RETIREMENT AND SOCIAL SECURITY LAW. The rate of interest payable on any loan made under this section shall be two per centum higher than the rate of regular interest creditable to the account of the member. The amount so borrowed, together with interest on any unpaid balance thereof shall be repaid to the retirement system in equal installments by deduction from the compensation of the member at the time the compensation is paid, but such installments shall be at least five per centum of the member's earnable compensation. All payments of principal and interest made by such member shall be credited to the contingent reserve fund.

S 6. Subdivision b of section 517-c of the retirement and social security law, as amended by chapter 18 of the laws of 2012, is amended to read as follows:

b. A member of the New York state and local employees' retirement system, the New York state and local police and fire retirement system, the New York city employees' retirement system or the New York city board of education retirement system in active service who has credit for at least one year of member service may borrow, no more than once during each twelve month period, an amount not exceeding seventy-five percent of the total contributions made pursuant to section FIVE HUNDRED FOUR-A (INCLUDING INTEREST CREDITED AT THE RATE SET FORTH IN SUBPARAGRAPH (II) OF PARAGRAPH EIGHT OF SUBDIVISION E OF SUCH SECTION FIVE HUNDRED FOUR-A COMPOUNDED ANNUALLY), OR SECTION FIVE HUNDRED FOUR-B (INCLUDING INTEREST CREDITED AT THE RATE SET FORTH IN SUBPARAGRAPH (II) OF PARAGRAPH TWELVE OF SUBDIVISION E OF SUCH SECTION FIVE HUNDRED FOUR-B COMPOUNDED ANNUALLY) OR SECTION five hundred seventeen of this article (including interest credited at the rate set forth in subdivision c of such section five hundred seventeen compounded annually) and not less than one thousand dollars, provided, however, that the provisions of this section shall not apply to a New York city uniformed correction/sanitation revised plan member or an investigator revised plan member.

S 7. This act shall take effect immediately.