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

5171

2013-2014 Regular Sessions

I N A S S E M B L Y

February 20, 2013

Introduced by M. of A. ENGLEBRIGHT, PEOPLES-STOKES, GLICK, GALEF, MARKEY, LAVINE, SCHIMEL, STEVENSON -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to defining the terms "retiree" and "beneficiary" within the freedom of information law

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

Section 1. Section 86 of the public officers law is amended by adding two new subdivisions 6 and 7 to read as follows:

6. "RETIREE" MEANS A FORMER OFFICER OR EMPLOYEE OF AN AGENCY, THE STATE LEGISLATURE, OR THE JUDICIARY WHO WAS A MEMBER OF A PUBLIC RETIREMENT SYSTEM OF THE STATE, AS SUCH TERM IS DEFINED IN SUBDIVISION TWENTY-THREE OF SECTION FIVE HUNDRED ONE OF THE RETIREMENT AND SOCIAL SECURITY LAW AND IS RECEIVING, OR ENTITLED TO RECEIVE, A BENEFIT FROM SUCH PUBLIC RETIREMENT SYSTEM.

7. "BENEFICIARY" MEANS A PERSON DESIGNATED BY A MEMBER OR RETIREE OF A PUBLIC RETIREMENT SYSTEM OF THE STATE TO RECEIVE RETIREMENT OR DEATH BENEFITS FOLLOWING THE DEATH OF THE MEMBER OR RETIREE.

S 2. Subdivision 7 of section 89 of the public officers law, as added by chapter 783 of the laws of 1983, is amended to read as follows:

7. Nothing in this article shall require the disclosure of the home address of an officer or employee, former officer or employee, or of a retiree of a public [employees'] retirement system OF THE STATE, AS SUCH TERM IS DEFINED IN SUBDIVISION TWENTY-THREE OF SECTION FIVE HUNDRED ONE OF THE RETIREMENT AND SOCIAL SECURITY LAW; nor shall anything in this article require the disclosure of the name or home address of a beneficiary of a public [employees'] retirement system OF THE STATE, AS SUCH TERM IS DEFINED IN SUBDIVISION TWENTY-THREE OF SECTION FIVE HUNDRED ONE OF THE RETIREMENT AND SOCIAL SECURITY LAW, or of an applicant for appointment to public employment; provided however, that nothing in this

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

LBD09168-01-3

subdivision shall limit or abridge the right of an employee organization, certified or recognized for any collective negotiating unit of an employer pursuant to article fourteen of the civil service law, to obtain the name or home address of any officer, employee or retiree of such employer, if such name or home address is otherwise available under this article.

S 3. This act shall take effect immediately.